

The proposed suspension does not make any reference to comparably situated employees; however, Mrs. Jones provides multiple examples of Agency employees who have committed similar acts as those attributed to her in the proposed suspension, without penalty. For example, Mrs. Jones states that, with regard to Charge 1, Specification 3, Ms. Carroll had an out-of-office automatic reply set on her government e-mail account for twenty (20) days while she was teleworking, and yet she received no proposed or imposed disciplinary action as a result. *See* Ex. 1 ¶ 35. With regard to Charge 2, Mrs. Jones provides evidence that Ms. Cokely has failed to respond to an e-mail request regarding a payroll issue, for roughly the same period of time Mrs. Jones is alleged to have failed to act, yet Ms. Cokely has apparently suffered no consequence. *See* Ex. 15. And with regard to Charge 3, Mrs. Jones states that other staff members, including Ms. Durocher, Ms. Powell, and Ms. Cokely, have involved themselves with the FOIA process, without express authority to do so and without repercussion. *See* Ex. 1 ¶¶ 47-48. Mrs. Jones also provides other examples of office malfeasance by other staff members, who have received no adverse personnel action as a result. *See* Ex. 1 ¶¶ 12, 49.

It seems, then, that Mrs. Jones has been singled-out for disciplinary action, which is improper under this *Douglas* factor. Accordingly, the proposed suspension should not be sustained, as Mrs. Jones should be treated equally with her colleagues with regard to similar alleged misconduct.

F. *Douglas* Factor #8 – Notoriety of the Charged Offense

The Proposal does not make any reference to this *Douglas* factor, however, we note that the MSPB has held that this factor should be considered a mitigating factor where “the record does not indicate that there has been any publicity outside the agency regarding the offense, or that the offense has had any impact on the reputation of the agency.” *Gibb v. Dep’t of the Treasury*, 88 M.S.P.R. 135, 148, ¶ 33 (M.S.P.B. 2001). As Mrs. Jones’s purported actions and are not notorious and the Agency has not provided any evidence to suggest that they are known to the public, this *Douglas* factor should mitigate any penalty in this matter.

G. *Douglas* Factor #9 – Notice of Relevant Rules

The clarity with which an employee was on notice of the rules prohibiting his misconduct is an appropriate consideration in determining a penalty. *Batts v. Dep’t of the Interior*, 102 M.S.P.R. 27, 31 (2006) *citing* *Veins v. Dep’t of the Interior*, 92 M.S.P.R. 256, 265 (2002) (stating that the clarity with which an employee was on notice of the policy violated and whether he had been warned about the conduct are important considerations in assessing a penalty).

The proposed suspension fails to cite a single legal authority in support of its contentions that Mrs. Jones’s alleged actions constitute misconduct, and it makes no assertion in its penalty determination that Mrs. Jones should have known her alleged actions were improper. Thus, consideration of the proposed suspension in light of this *Douglas* factor supports our contention that Mrs. Jones did not engage in misconduct, and that the proposed suspension should not be sustained.

H. Douglas Factor #10 and #12 – Employee's Potential for Rehabilitation and Alternative Sanctions

The potential for rehabilitation is a consideration that relates to whether an employee has the ability to change his behavior and become a reliable, suitable employee who does not commit further misconduct. *Swazy v. Dep't of the Interior*, MSPB. No. AT-0752-02-0611-I-1 (Sept. 30 2002). An employee who has served an agency for a substantial period of time without prior discipline, has a good work ethic, and immediately reports an incident of misconduct and takes responsibility for his actions shows a good potential for rehabilitation. *Wentz v. U.S. Postal Serv.*, 91 M.S.P.R. 176 (2002); *Boltz v. Social Security Admin.*, 111 M.S.P.R. 568 (2009) (employee found to have potential for rehabilitation where she worked for agency for about 10 years with no prior disciplinary record, and supervisor consistently rated her performance as acceptable or higher levels and awarded her performance). An employee's service record alone can demonstrate a potential for rehabilitation, which constitutes a significant mitigating factors. *See Omities v. U.S. Postal Serv.*, 87 M.S.P.R. 223, 228 and 230 (2000) (finding rehabilitative potential based on length of service and good performance record). Additionally, a lesser penalty for a first offense in an employee's otherwise lengthy and satisfactory service record has been found to bring about an employee's rehabilitation. *See, e.g., Schoeffler v. Dep't of Agric.*, 47 M.S.P.R. 80, 91 (1991), vacated in part on other grounds, 50 M.S.P.R. 143, 146 (1991).

Although they are both applicable to the penalty determination in this matter, the Proposal does not address alternative sanctions Mrs. Jones's potential for rehabilitation in its penalty determination analysis. *See* Proposal at 3.

Given the totality of the circumstances presented in this written reply, including the various mitigating factors above (especially Mrs. Jones's motivation for her actions, her history of good performance, and her lack of any prior disciplinary record), disciplinary action is not necessary in this matter.

V. CONCLUSION

Based on the foregoing, you should not sustain the proposed suspension against Mrs. Jones.

Sincerely,



Julia H. Perkins
James P. Garay Heelan

Enclosures

Mr. Jeff Rosen
National Council on Disability
November 27, 2013
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SYLVIA JONES

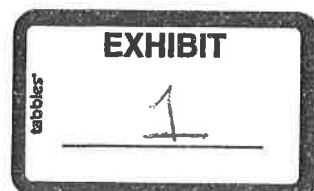
**EXHIBITS
TO
WRITTEN REPLY**

- EXHIBIT 1 Declaration of Sylvia Jones, dated November 27, 2013
- EXHIBIT 2 E-mail from Sylvia Jones to Rebecca Cokley, dated May 28, 2013
- EXHIBIT 3 Position description for the General Counsel and Director of Policy
- EXHIBIT 4 E-mail from Gerrie-Drake Hawkins to herself, blind copying Sylvia Jones and other unidentified recipients, dated September 29, 2013
- EXHIBIT 5 E-mail from Julie Carroll to Sylvia Jones, dated September 12, 2013
- EXHIBIT 6 Telework Application and Agreement for Julie Carroll
- EXHIBIT 7 Four e-mails, dated August 27, August 29, August 30, and November 18, 2013
- EXHIBIT 8 E-mail from Sylvia Jones to William Haygood, dated October 1, 2013
- EXHIBIT 9 E-mail from Rebecca Cokley to Sylvia Jones, dated June 28, 2013
- EXHIBIT 10 Letter to Sylvia Jones from Sylvia Anderson, dated October 31, 2013
- EXHIBIT 11 E-mail from Sylvia Jones to Rebecca Cokley, dated October 30, 2013
- EXHIBIT 12 E-mail from Jeff Rosen to Rebecca Cokley and Sylvia Jones, dated September 10, 2013
- EXHIBIT 13 E-mail from Gary Blumenthal to Sylvia Jones, dated September 16, 2013
- EXHIBIT 14 Packet of e-mail exchanges involving Sylvia Jones, dated September 23-24, 2013
- EXHIBIT 15 E-mail from Sylvia Jones to Rebecca Cokley, dated November 14, 2013

Declaration of Sylvia Jones

I, Sylvia Jones, provide the following declaration in response to the Notice of Proposal to Suspend dated November 1, 2013, in connection with my employment as the Director of Administration for the National Council on Disability (NCD). I hereby state as follows:

1. I have faithfully served the U.S. Government for twenty-five (25) years beginning with the U.S. Army in 1989 and as civilian federal employee in 2004. Throughout my career I have received many awards and accolades for dedication and exceptional service. Due to my superb performance and leadership ability, in 2008 I was selected to attend the American University Key Executive Leadership Program, which is designed to prepare future leaders for the Senior Executive Service (SES). In 2010, I received an outstanding service award for my contribution to the Haiti Repatriation Efforts following the massive earthquake in Haiti; and for working with staffers of then-Secretary of State, Hilary Clinton, to arrange for Secretary Clinton's presence at Andrew's Air force Base to greet repatriated Haiti-American citizens returning to the United States.
2. Since my hire at NCD in June 2012, I have been recognized for superior performance. Shortly after my hire, I was recognized by the then-NCD Chairperson, the then-Executive Director, and Council members for making significant progress in establishing internal controls. Also, in 2012, I received an outstanding performance rating and time-off award for superb performance. In June 2013, I was recognized by management and received a Quality Step Increase (QSI) for outstanding performance.
3. As person with a disability and current disabled veteran I chose to work at the National Council on Disability due to the agency's mission and vision, and the agency's desire to hire a Director of Administration who possessed high ethical standards as expressed in my interview. As Director of Administration, I'm responsible for managing the administrative operations of the agency which includes: human resources management; budget preparation and funds management; facilities and space management, security administration, property management and records management.
4. Since February 2013 to present, I have been crippled by a lack of staff resources and have been forced to carry out the work of the division to include budgetary functions of the Financial Analyst and Executive Director without assistance. Upon my hire, my division consisted of two staff members supporting operations and one contract consultant for IT support. The two staff assigned to my division was not adequate support to carry out the functions of the office due to the vacant financial position and reduction in force of the administrative coordinator position. Therefore I was given authorization to hire a Financial Analyst, GS-11/12 by the former Executive Director around December 2012. The position was advertised by the Office of Personnel Management (OPM) and a large pool of candidates (60+) was referred for consideration. However, as I was in the process of interviewing candidates, my hiring authority was taken away by the NCD Chairperson and given to Executive Director Rebecca Cokley. The Chairperson's stated reason for taking away my duties was that it was due to the job announcement being posted by OPM for 3-days versus 5-days, even though the NCD authorizing statute and the NCD bylaws



do not authorize the Chairperson to be involved in the hiring of technical staff and despite the fact that the 3-day OPM posting provided a large pool of highly qualified applicants. Also in March 2013, one of my subordinate staff members, Carla Nelson, Administrative Specialist, was placed on administrative leave by Interim Executive Director Julie Carroll without my input and later terminated without my knowledge, forcing me to perform the duties of my position, and of the positions of the financial analyst and the administrative specialist; and due to the agency not having an experienced Executive Director, the Executive Director forces some of her duties upon me. As of today, five months later, the agency is still without a Financial Analyst which has caused a back log of work and has caused financial hardship on Council members due to delays resulting in the non-reimbursement of their travel on behalf of the agency. I am the only person at the agency who has had their hiring authority taken away, none of my Caucasian peers have been treated similarly by the Chairperson or NCD management. For example, Anne Sommers was recently allowed to hire at will, with no involvement or intervention from the Chairperson. I believe this disparate treatment, which has no apparent basis in any legitimate management decision, evidences retaliation against me for my protected whistleblower disclosures to the Office of Special Counsel (OSC) and my Equal Employment Opportunity (EEO) complaint.

5. On November 1, 2013, I received a proposal to suspend me, via e-mail from NCD Executive Director Rebecca Cokely. In that document, the Executive Director states that she proposes to suspend me for 14 calendar days based on three charges: 1) that I allegedly failed to follow my supervisor's instructions on three occasions; 2) that I allegedly delayed in carrying out an assignment; and 3) that I allegedly misused my position.
6. I do not believe that any of the specifications provided to support any of the three charges can be sustained by the evidence NCD provided to me as support for the proposed suspension, especially in light of the additional information and context that I provide in this sworn declaration and in additional documentation which I enclose with my written reply to the proposed suspension. Further, I believe the proposed suspension was issued to me in an act of unlawful reprisal for my refusal to carry out management directives to violate the law and about which I made protected whistleblower disclosures to OSC and for an EEO complaint I filed against the agency, especially given that agency management is very involved in and aware of both sets of actions. In fact, many of the matters at issue in the proposed suspension involve the same subject matter as my disclosures to OSC, including illegal contracting, excessive billing, and gross mismanagement of funds. I believe that Executive Director's proposal to suspend me, and any sustaining of that proposed suspension by the NCD Chairperson, is a prohibited personnel practice, in violation of 5 U.S.C. § 2302 (b), which provides that a federal employee who has authority over personnel decisions may *not* engage in reprisal for whistleblowing. A person with personnel authority cannot take or fail to take a personnel action with respect to an employee or applicant because of a disclosure of information by the employee or applicant that he or she reasonably believes evidences a violation of a law, rule or regulation, gross mismanagement; gross waste of funds; an abuse of authority, which this proposed suspension clearly violates.

7. I also believe that, had I carried out the illegal acts requested of me, and about which I complained to OSC, I would not now be facing disciplinary action. As then-NCD Finance Chairperson Gary Blumenthal told me in a telephone conversation on September 17, 2013, in which he followed up on his e-mail request from the day before that I administer a contract which he conceded was improper, that I was being "isolated for trying to get people to do things right," and that I could "validate" my position within NCD by overlooking issues in NCD administering the improper contract, referring to the act as a "trade-off."

CHARGE 1 – FAILURE TO FOLLOW SUPERVISOR’S INSTRUCTIONS

8. At issue in each specification in Charge 1 of the proposed suspension is whether NCD Chairperson Jeff Rosen is my second line supervisor, and whether he has the authority to manage NCD staff.
9. The NCD Chairperson is a part-time intermittent special government employee appointed to serve as chief of the Council and supervises the Executive Director only; and although the current Chairperson bills the agency excessively for duties assigned to the Executive Director, he should not be involved with the management of the agency's day to day operations, he should instead work enough to carry-out his duties as the Chairperson of the Council, which only meets four times per year. As defined in 18 U.S.C. § 202, a special government employee is an officer or employee who is retained, designated, appointed, or employed to perform temporary duties, with or without compensation, for not more than 130 days during any period of 365 consecutive days.
10. In my conversation with the Executive Director Rebecca Cokley on May 28, 2013, we discussed the Chairperson overstepping his authority by interfering in the day-to-day functions of the office and management of staff by "attempting to take over" the duties of the Executive Director. Due to the Chairperson's interference, which impeded my ability to get my work accomplished, I requested of the Executive Director that all dealings between the Chairperson and myself (although there should be none) be routed through her as the individual with overall authority and management of staff. The Executive Director agreed with me and stated "I have no problem with this." Following this conversation, all direct communication between me and the Chairperson halted, until the Executive Director departed on maternity leave on September 19, 2013. Immediately following the Executive Director's departure, I began receiving an overpowering series of direct orders, and threats of possible disciplinary action up to and including removal should I fail to comply with those orders, from the Chairperson Jeff Rosen; seven within a 4-day period. Of the three office director's on staff, I was the only office director to receive these re-occurring strings of direct orders and threats.
11. Prior to departing on maternity leave, the Executive Director intentionally declined to appoint an Interim Executive Director, or to otherwise name a successor for her position duties, in her lengthy absence, to assure continuity of operations. During a staff meeting with the Executive Director and Chairperson on September 18, 2013, staff members were

informed that there would be no one filling in for the Executive Director in her absence which led to the Acting Policy Director Dr. Gerrie Drake-Hawkins expressing concern and asking, "who would supervise the staff?" The Chairman responded that there was no need for an Interim Executive Director, and per Dr. Drake-Hawkins 9/29/13 email, staff were advised to "feel free to contact GSA for assistance." This was the first known instance in which an Executive Director went on leave without appointing a successor. This intentional act was alarming and disappointing to staff and, as a result of neglecting her duties, the Executive Director's actions caused unnecessary harm to the agency.

12. Executive Director Cokley departed on maternity leave on September 19, 2013 without providing leave documentation as per the NCD Administrative Policy and Procedures Manual. The details of her absence are unclear. Though the NCD Administrative Policy and Procedures Manual states "about six weeks before an expected delivery date or earlier, an employee and her supervisor should discuss leave plans, including submitting the appropriate requests for the types of leave that will be used." This did not occur with Executive Director Cokely, and she has failed to follow leave procedures and been out of office for an extended period of time without being on approved leave. I know these details to be accurate because it is my responsibility to handle the processing of leave requests. After being absent without leave for several weeks, on October 17, 2013, the Executive Director submitted an approved telework agreement signed by Chairperson Jeff Rosen for 5-days per week from 10 am to 12pm and 2pm to 4pm. However, I note that the Executive Director did not submit proper leave documentation to accompany the telework agreement in accordance with NCD Administrative Policy and Procedures Manual.

13. Per the position description of the NCD Policy Director/General Counsel, the incumbent acts for the Executive Director in his/her absence. However, the NCD Policy Director/General Counsel (GS-15) herself was out of the office on maternity leave from August 12, 2013 through January 3, 2014 and then, as Director of Administration (GS-15) and principal advisor to the Executive Director (as acknowledged in Charge 1, Specification 2 of the suspension proposal), I was the most senior, knowledgeable and experienced staff member and leader on staff prior to the Executive Director going on maternity leave. Therefore, it appears that the Executive Director's intentional decision not to name a successor for her duties, when I was the clear choice both organizationally and by seniority, appears to have been a decision made without any legitimate business purpose, leaving the impression that the decision was made to retaliate against me for my protected disclosures and/or my protected EEO activity. In that context, the specifications in Charge 1 all appear to have been set up as retaliatory against me, and all would have been avoided had the Executive Director fulfilled her duties and named a successor – especially given that she was aware of and had validated my objections to the Chairperson's involvement with the day to day functions of NCD staff.

Specification 1

14. Charge 1, Specification 1 alleges that NCD Chairperson Jeff Rosen is my second level supervisor and that on September 25, 2013, he gave me a direct order to draft a

contingency plan for the Office of Management and Budget (OMB), for the event of a government wide shut down. The specification goes on to allege that I e-mailed the Chairperson back on that same day and explained that Ms. Cokely, NCD's Executive Director, was responsible for preparing that plan.

15. Development and/or preparation of an agency contingency have always been the responsibility of the Executive Director, which the NCD Chairperson was well aware of as he instructed the previous Interim Executive Director to prepare a contingency plan in lieu of the fiscal year 2013 sequester. The Executive Director received notification of this task from the Office of Management and Budget on September 18, 2013, and knowing that she was due to depart any day on an extended absence for maternity leave, the Executive Director chose not to appoint a successor in her absence and she took no action to ensure that her duties and responsibilities and critical work products, such as preparation of the contingency plan, were covered during her absence.
16. On September 20, 2013 there were three office directors on staff (myself, Anne Sommers and Dr. Gerrie Drake Hawkins). I was the only Director without adequate staff. Under these circumstances, knowing and being well aware of my heavy workload the Chairperson sent me an email only with the task of creating the contingency plan by the close of business September 25, 2013, despite the fact that I was working alone to close-out the agency's annual budget (which normally requires a team of three, to include the Executive Director); completing end of year purchases, setting up end of year accruals for fiscal year revenues and expenses, processing invoices, financial obligations and travel vouchers for payment, responding to Auditor's and preparing the agency for the annual audit, coordinating travel for the agency's October quarterly meeting, closing out the fiscal year payroll and processing timecards. In addition to performing these tasks I was responding to emails and phone calls. The annual budget close out is the most sensitive and time consuming task in the agency, however I was forced to do it alone.
17. Per my email to the Chairperson on September 25, 2013, I stated "due to an abundance of work to include budget close-out I am unable to take on additional responsibilities outside the scope of my duties." The task was reassigned to a less busy office director, Anne Sommers, who was not involved in end of year budget close out activities and who had staff support. However all close-out tasks of the contingency plan were assigned to me only, by Anne Sommers, a GS-14 Caucasian with an apparent physical disability, and approved by the Chairperson. And, prior to the government shut down, as Director of Administration, I had to perform all shut down activities without any assistance, although there were several other staff members available to help out, including Anne Sommers. On October 1, 2013, the day of the government shut down, Anne Sommers and others reported to work, turned on their out of office assistant and departed without inquiring if I needed help. I was the last person to depart the office that day because I had to carry out the shutdown plan for the agency. Again, I believe that the Chairperson and NCD management intentionally over-burdened me as retaliation for my OSC disclosures and for my EEO activity.

18. I believe the entire situation at issue in Charge 1, Specification 1 could have been avoided if the Executive Director had not refused to appoint an Interim Executive Director, despite the concerns raised by staff at the meeting on September 18, 2013.

Specification 2

19. Charge 1, Specification 2 alleges that "due to [my] disagreement" with the agency's decision to replace Development Info Structure (DEVIS), the information technology service used by NCD, the Chairperson e-mailed me on September 24, 2013, giving me a direct order to extend the existing service from DEVIS. Then, without further explanation of the situation, the specification alleges that I "again, failed to follow supervisory instructions."
20. For the record, NCD management has been aware since shortly after I arrived at NCD that DEVIS is an illegal contract being illegally paid by GSA, as I have identified the flaws in the contract and Mr. Blumenthal and Ms. Sommers have expressed their agreement with many of my concerns. The DEVIS contract evidences a violation of federal acquisition regulations and federal appropriation laws and constitutes gross mismanagement and gross waste of appropriated funds in accordance with the Principles of Federal Appropriations Laws. In accordance with the Federal Acquisition Regulation (FAR), Subpart 1.602-1(b) and per the NCD Financial Policy and Procedures Manual "no contract shall be entered into unless the Chair and/or designee ensure that all requirements of the law, executive orders, regulations, and all other applicable procedures including clearances and approvals have been met." This did not occur with the DEVIS contract as the NCD Chairperson knowingly and willfully attempted to further extend an illegal contract for an acquisition that required competition, publicizing, processing and approval by GSA Acquisition Management Division. Further, Anne Sommers, a certified Contracting Officer's Technical Representative (COTR) for the DEVIS contract acknowledged in email on September 10, 2013 that "I had occasion to review some of the contract documents for sister agencies for nearly identical services. It was during the course of that review and contrast against solid contracts for the same services that I came to more fully appreciate the concerns that Sylvia's been raising and how vulnerable NCD is as a result of a less than adequate procurement." However, the Chairperson responded that "if it comes to it I will sign off on continuing with DEVIS until NCD is able to recomplete the contract."
21. GSA, Acquisition Management Division, is paid to provide contracting services to NCD, and, although I am a designated (but uncertified) COTR and Ms. Sommers is a COTR, there are no personnel within NCD who I would consider to be contracting experts. I understand from GSA that the Chairperson is allowed to bind NCD to contracts, but that he should only be doing so if he has knowledge of government contract policies and procedures. And, it is my understanding that the current Chairperson does not have this requisite knowledge or training. However NCD management officials refused to utilize GSA experts and technical contract staff as instructed by the NCD Financial Policy and Procedures Manual, for what appears, in my belief, to be their lack of regard for policies and procedures and to circumvent competition, clearance and approval process.

22. On May 2, 2013 I met with the Executive Director and made her aware of the issues that made the DEVIS contract illegal, with hopes that she would take appropriate action to correct the problem. The Executive Director stated that she would discuss the issue with the Chairperson, Jeff Rosen; however no action was taken and due to a series of continuous improper activities involving Chairperson Jeff Rosen and Executive Director Rebecca Cokley that could potentially cause harm to the agency, I raised the issue internally with the NCD Council on June 27, 2013. On June 28, 2013, I received via email a direct order from the Executive Director Rebecca Cokley instructing me to channel my complaints to the appropriate authorities. The Executive Director never inquired or showed interest as to what the issues were and she failed to specify who the appropriate authorities were. However, I was threatened with disciplinary action up to and including removal from the National Council on Disability if I failed to follow the order. I complied with the direct order issued to me by the Executive Director and reported the issue(s) to Federal authorities.
23. Once a need for contracting is identified and approved, if the acquisition/procurement is over the micro-purchase threshold of \$3,000, the appropriate office director is responsible for working with GSA Acquisition Management Division to procure the services and/or supplies. In the case of the DEVIS contract, Anne Sommers would have been the responsible manager as she manages and oversees the ncd.gov website contracted with DEVIS. The Chairperson was well aware that Anne Sommers manages and oversees the ncd.gov website and serves as Contracting Officer Technical Representative (COTR) for the DEVIS contract. However, he never requested nor issued Anne Sommers a direct order to extend the existing service from DEVIS.
24. The DEVIS contract legally expired in 2011. However, NCD management officials, to include COTR Anne Sommers, intentionally continued to incur agency expenses for DEVIS services without legal contract documentation, competition and/or publicizing the action.
25. I did not receive a direct order from the Chairperson on September 24, 2013 directing me to "extend the existing service from DEVIS." However I did receive an unlawful direct order from Chairperson Jeff Rosen on September 20, 2013, stating "You are to perform the duties of your position, including working on the contract to replace DEVIS immediately or to present me with written material supporting your recusal showing why the contemplated action is illegal or against government wide regulations. This written material must be presented by COB September 24, 2013." As mentioned above, Anne Sommers, a Caucasian with an apparent physical disability, was the COTR of the DEVIS contract and is responsible for managing and overseeing the ncd.gov website contracted with DEVIS. Anne Sommers would have been the appropriate manager to receive the direct order from the Chairperson to carry out any duties related to an extension of the DEVIS contract, however I believe that Chairperson Jeff Rosen was attempting involve me in his and management's wrongdoing to frustrate my protected disclosures to the Office of Special Counsel (OSC). Whether issued to me or Anne Sommers, the order in the Chairperson's September 20, 2013 e-mail was unlawful and the Chairperson was well

aware of this, but he was apparently still willing to violate executive orders, laws, regulations, and internal policies.

Specification 3

26. Charge 1, Specification 3 alleges that, on or about September 23, 2013, I put an automatic reply on my government e-mail account, informing people that although I was in the office, I would not be responding to e-mails right away. The automatic reply stated that I "would respond to all emails by the close of business Wednesday, September 25, 2013," (in order to allow me respond to emails at my pace to close-out fiscal year 2013 budget). The specification goes on to allege that I told Gary Blumenthal, Chair, Audit and Finance committed that I "would not be accepting phone calls during this period."
27. Although the charge is "Failure to Follow Supervisor's Instructions," the specification states that the Chairperson issued me a direct order via e-mail and via hand delivery on September 24, 2013, but the specification does not allege that I violated that direct order. The only allegation of misconduct that I can identify in the specification is the allegation that my "attempt to cut off the communication used to resolve" issues for which I needed to coordinate with Mr. Blumenthal for the agency's end-of-year budget. Therefore, I do not believe the allegations in Charge 1, Specification 3, even if true, support a charge of "Failure to Follow Supervisor's Instructions."
28. Further, the Agency has not provided me or my representatives with any evidence to support the allegation that I ever told Mr. Blumenthal that I would not be accepting telephone calls, and in fact, I never told Mr. Blumenthal that I would not be accepting telephone calls. And, in the supporting documentation which my representatives will provide with my written reply to the proposed suspension, it is clear that I did actively communicate via e-mail and reply to e-mail messages on September 23 and 24, 2013.
29. Due to an overload of emails from Gary Blumenthal the week of September 16-20, 2013, in order to concentrate on closing out the agency's budget, which was due on September 30, 2013, I used my out of office assistance (computer only) in order to get critical work completed, for which I had an inadequate level of staff support and a lack of assistance from the Executive Director. Though my out-of-office assistance was on, I had been reading, responding to emails and telephone calls throughout the day both on October 23, 2013 and October 24, 2013.
30. With regard to the specification's statement that the Chairperson issued me a direct order "to keep these lines of communication open and to respond appropriately," the e-mail provided to substantiate that statement is time-stamped 3:20 p.m. on September 23, 2013, and in it the Chairperson makes the conclusory statement that I decided to stop reading my e-mails or taking phone calls until September 25, 2013, which is untrue. I did not respond to the Chairperson on September 23, 2013, because the email did not warrant a response as I was already (and throughout the day) reading and responding to emails and phone calls. Again, I was reading my e-mails while my automatic message was activated, and NCD has provided no evidence to support the allegation that I ever told

anyone that I was not taking telephone calls. The specification itself makes an erroneous assumption that I was "not reading and responding to emails and taking telephone calls. It also states that the Chairperson "had to have this direct order hand delivered" to me on September 24, 2013 because I was "not reading [my] emails," which is also an untrue statement as I was reading my e-mails.

31. I left the out-of-office automatic reply on because, not only did I understand the Chairperson's order to have been improper, the order did not instruct me to deactivate the automatic reply. The order only instructed that I should be reading and responding to my e-mails, which I had been doing before the 3:20 p.m. e-mail, and which I continued to do after reading it.
32. The "hand delivered" order was actually a print out of the Chairperson's e-mail, which he directed my subordinate, Mr. Stacey Brown, to place under my office door, in an e-mail time-stamped 8:01 a.m. on September 24, 2013. I would like to note that the Chairperson sent an email to GSA Human Resources that my out of office assistant for email was still on at 7:45 a.m. on September 24, prior to my arrival at work and the start of my tour of duty without sending any emails to my email account. I'm not sure why the Chairperson sent the email to GSA Human Resources or my staff member; however it would have been more productive if he had reached out to me directly by telephone or requested an e-mail response from me.
33. I also note that Mr. Blumenthal is not a member of NCD management, however I responded to his emails through his appropriate government email address that he was not monitoring due to conducting official business from an unauthorized non-government email. All lines of communication were open. I received no calls or emails from the Executive Director and I was in constant contact with other office managers and staff.
34. Additionally, the specification states "there were several outstanding issues with the end-of-year budget that required coordination with Mr. Blumenthal." This statement is inaccurate. Mr. Blumenthal attempted to intimidate and coerce me to carry out illegal transactions, involving the budget and related to the DEVIS contract, at the direction of the Chairperson. To date, the Executive Director has not communicated any alleged budget issues with me and has not initiated or participated in budget talks; and prior to this proposal she refused to participate in the 2013 audit due to internal control fraud considerations. Per the NCD Financial Policy and Procedures Manual, the Executive Director serves as the chief executive of the agency and has full responsibility and oversight of managing the agency's budget. The Executive Director failed to carry out her end of year budgetary responsibilities. Close out activities for the agency's 2013 budget commenced prior to the Executive Director going out on maternity leave on August 14, 2013. However, I was forced to close out the agency's budget, even while the Executive Director was still working full-time before her maternity leave, with no assistance or staff due to either the Executive Director's lack of interest or participation. It is documented that the fiscal year 2012 budget required three staff members to close out (me, Aaron Bishop, who was then the Executive Director, and Carla Nelson). I

informed management of this and management ignored my appeal for help and the Executive Director provided no assistance or input.

35. Lastly on this specification, I believe I am being treated unfairly and unequally with regard to my use of an automatic e-mail message. For example, it is known and documented that Ms. Julie Carroll, a Caucasian employee with a physical disability was away from the office from September 3-23, 2013, and was teleworking during that time. However, even though she was supposedly teleworking during that time, she had an out of office automatic reply set up on her NCD e-mail account, and, to my knowledge, she did not respond to any e-mails while that automatic reply was set. But, Ms. Carroll was never issued any proposed disciplinary action for her use of an automatic reply message, even though the period for which she had it set up was 20 days and mine was only two days.

CHARGE 2 – DELAY IN CARRYING OUT ASSIGNMENTS

36. Charge 2 of the proposed suspension contains only one specification, alleging that I “took no action to respond” to Ms. Julie Carroll, Senior Policy Advisor, regarding my August 27, 2013 e-mail to her regarding required research into her telework agreement with the agency, until September 11, 2013, when “I [Rebecca Cokely] became involved in the issue, researched it and instructed you [Sylvia Jones] to move forward.” The specification goes on to allege that “in failing to act timely,” I “caused the agency to be unable to utilize Ms. Carroll’s services until the agreement was finally approved.”
37. Similar to Charge 1, Specification 3, I don’t believe that, even if the allegations in Charge 2 were accurate, the allegations do not support the charge of “Delay in Carrying out Assignments.” **I was never given or issued an assignment with regards to Julie Carroll.** However, as the Director of Administration, in order to ensure staff compliance with applicable laws and regulations, I informed Ms. Carroll that I would look into the issue involving telework options and get back to her soon.
38. Regarding the allegation that I “took no action” on Ms. Carroll’s issue until the Executive Director contacted me on September 11, 2013, the fact of the matter is that my office had been taking action on the matter long before September 11, 2013. I had tasked a member of my staff, Ms. Chanda Bethea, a temporary employee, with contacting experts from the Office of Personnel Management (OPM) to reach a conclusion on Ms. Carroll’s issue. The information from OPM was communicated verbally to Ms. Carroll’s supervisor, Dr. Gerrie Drake-Hawkins, due to Ms. Carroll being away from the office from September 3-23, 2013. Ms. Bethea is no longer with NCD, but Dr. Drake Hawkins can affirm this communication.
39. I also note that the agency provided no evidence to support the statement that NCD was unable to utilize Ms. Carroll’s services until her new telework agreement was finally approved on September 10, 2013. However, contrary to this allegation, Ms. Carroll provided a substantial amount of evidence that demonstrates that she was being utilized by the agency, and therefore, the statement made by Executive Director Rebecca Cokley

that I "caused the agency to be unable to utilize Ms. Carroll's services until the agreement was finally approved" is apparently unfounded and untrue.

40. As I stated in the e-mails provided to me as support for the proposed suspension, Ms. Carroll's telework agreement had expired in March 2011. Therefore, Ms. Carroll had been using telework without a telework agreement, so no action by me in September 2013 could have changed her circumstances and made her unable to provide services to NCD. Further, in an e-mail provided to me as support for the proposed suspension, Ms. Carroll even states that she performed work ("a conference call re planning regional forums, emails, setting up meetings, and attending a webinar") for NCD while teleworking on August 26, 2013. And, Ms. Carroll acknowledged in an e-mail that she "performed oversight and managed project assigned to her by her supervisor and Executive Director," further contradicting the specification's statement that the agency was unable to utilize Ms. Carroll's service until the agreement was finally approved.

CHARGE 3 – MISUSE OF POSITION

41. Charge 3 is made up of only one specification, alleging that on or about September 13, 2013, I contacted Mr. William Haygood, president of a company which provides contracted services for NCD, and told him that "Rushizky was to comply with the demands of a Freedom of Information Act (FOIA) request he was to receive shortly." The specification goes on to state that I was the initiator of that request and that the request involved my employment with NCD. The specification then alleges, without any further analysis beyond noting that I do not have an official role in the processing of FOIA requests, that my contacting Mr. Haygood was a misuse of my position as Director of Administration. The specification makes this strident allegation that I committed serious misconduct without citing to any statute, regulation, policy, or standard of conduct, to substantiate its conclusion.
42. Yes, I telephoned Mr. Haygood on September 6, 2013, however the primary purpose of the call was excluded from his statement, thus inaccurately representing the nature and substance of the call because the information provided in Mr. Haygood's statement lacks context. My call to Mr. Haygood was a follow up call from our July 10, 2013 conversation in which we discussed performance issues, email tampering, lack of required credentials of consultant Nick Rushizky and violation of office policies and procedures by Mr. Rushizky. At the conclusion of the call I briefly inquired if Mr. Rushizky was familiar with the laws governing the Freedom of Information Act. I am not aware of any law, regulation, or policy under which that inquiry was improper. It was a general question and at no time during that call did I tell Mr. Haygood that there would be a FOIA request.
43. The nature of my FOIA request was to obtain documentation to support my Equal Employment Opportunity (EEO) complaint and Office of Special Counsel complaint. As stated, the primary purpose and intent of my call to Mr. Haygood was not to discuss FOIA and to date I am still waiting patiently for the FOIA process to play itself out.

44. The statements made by Mr. Haygood in his e-mail dated September 19, 2013, which was provided to me as documentation supporting the proposed suspension, failed to accurately depict the conversation I had with him. I never made any demands to William Haygood nor did he use the word "demand" in his statement.
45. I did not misuse authority by contacting Mr. Haygood. As the Contracting Officer Technical Representative (COTR) for the Global Networkers contract, my responsibilities include serving as: a 1) technical information conduit; 2) a contracting and regulatory liaison; and 3) business partnership manager. The specification states, "there are official channels for processing FOIA requests and you are not involved in the process unless requested or directed to do so by appropriate authority." However, per Federal Acquisition Regulation (FAR) and 48 CFR Subpart 2906, Section 2906.603-71 the COTR is authorized to hold any necessary discussions with the contractor to ensure that the work is being carried out in accordance with the contract, task order and regulatory requirements. Since Mr. Rushizky does not possess the required credentials to serve as a contract consultant and due to his documented performance issues, disregard to policies and regulation and possibly email tampering, I contacted Mr. Haygood to discuss the matter.
46. Furthermore, per the NCD Administrative Policy and Procedures Manual dated April 2007, the Public Affairs Specialist is responsible for processing FOIA requests. However, the current Public Affairs Specialist, who was hired after the Administrative Policies and Procedures Manual was approved in 2007, does not carry out any FOIA functions or responsibilities. And, per the position description dated 2009 and the 2012 and 2013 performance plan of the Staff Assistant (which I supervise), which post-dates the 2007 NCD Administrative Policy and Procedures Manual, the Staff Assistant is responsible for responding to requests for information in consultation with his immediate supervisor (me) and the General Counsel. Therefore, I do have a role with the processing of FOIA requests.
47. The Policy Director/General Counsel has involved herself in the FOIA process. The FOIA processing function was not re-delegated in writing and the function is not listed in the Policy Director/General Counsel's official position description. But, to date, Policy Director/General Counsel Joan Durocher and her staff, including Ms. Robyn Powell, have inserted themselves into the FOIA process without express authority to do so, and no one in that office has been issued proposed disciplinary action for doing so.
48. Additionally, the Executive Director is not designated by any written agency authority to have involvement in the FOIA process, however she inserted herself and has been copied on all correspondence relating to my request despite knowing that information requested pertains to her. Her involvement constitutes a conflict of interest and impedes the integrity of the process, but she has not been issued proposed discipline for improperly involving herself in the FOIA process. Indeed, the Executive Director acts with impunity in violating the Administrative Policy and Procedures Manual. For further example, the Executive Director has been physically out of the office since September 19, 2013 and has not obtained advance supervisory approval via the SF-71 or provided documentation

as required by the Administrative Policy and Procedures Manual. Per email to me from the Executive Director around October 20 she stated "I will submit leave forms after leave is taken." On October 28, 2013, while I was on approved leave, I received an email from the Executive Director stating "in the future you are to provide me with your leave requests in advance or as soon as practical. I was not aware of your absence until reading you're out of office reply." Though I requested leave timely and in advance I was wrongfully rebuked for not following policy.

49. Other examples of actual, reported violations of federal regulations and NCD policies by my Caucasian co-workers with apparent physical disabilities, which have gone undisciplined, abound. One immediate example which comes to mind is an incident of consuming alcohol on federal property, in violation of GSA regulations and NCD policy, which I reported to the Chairperson on February 12, 2013. The Chairperson acknowledged to me in a March 13, 2013 e-mail that he knew that such activity was improper and against policy, and then demurred on a decision as to whether to take any formal administrative or personnel action on the matter.
50. In stark contrast to these and other examples, I, an African American without an immediately apparent physical disability, am treated with intense scrutiny and suspicion. NCD management seems to assume that just because it does not immediately recall something or understand a situation with which I am involved, that I have committed some misdeed or act of misconduct. For example, on September 30, 2013, my husband (who is African American) visited me at my NCD office for lunch, and although there is no prohibition against my having a visitor in the office, I received a call from the Executive Director (who was out of the office full-time on maternity leave) questioning me about who was in my office. During that same call, the Executive Director questioned me about what I was "working on for the day," even though she did not make any such inquiries of other office directors. As another example, even though she approved my leave in advance in writing and per NCD policy, on October 28, 2013, the Executive Director scolded me via e-mail and told me, in directive form, that "you are to provide me with your leave requests or as soon as practical. I was not aware of your absence until reading your out of office reply."
51. The standards, rules and guidelines that I'm expected to follow are the same standards, rules and guidelines being abused and disregarded by the Executive Director and other Caucasian staff with apparent disabilities. This disparate treatment, seeking to discipline me on allegations that I improperly inserted myself into the FOIA process, while others in the agency involve themselves much more with significantly less authority to do so, further strengthens the inference that the proposed suspension is discrimination against me, as an African American without an apparent physical disability, and retaliation against me for my OSC disclosures and/or my EEO activity.
52. I also believe that Mr. Haygood failed to disclose the real purpose and intent of my call is because his company's contract with NCD approaching its end and he is looking for additional contract/business opportunities with the NCD. Mr. Haygood and I also had similar conversations on July 10, 2013, September 27, 2013, September 30, 2013 and

October 1, 2013, which I documented in writing, regarding Mr. Rushizky. As a result of those calls, Mr. Haygood suggested and agreed to replace Nick Rushizky with a more competent and qualified consultant. I note that one of the concerns I expressed to Mr. Haygood was his company's billing the agency the labor rate for a qualified IT consultant, which Mr. Rushizky is not, in violation of the Federal Contracts Act.

53. In closing, I would like note that it is evident this suspension proposal is purely personal. On June 14, 2013, I was awarded a quality step increase for superior performance, but now, due to my refusal to compromise my integrity and violate Federal laws, policies and executed orders as directed by Chairperson Jeff Rosen, Executive Director Rebecca Cokley and Audit and Finance Chair Gary Blumenthal, I'm being targeted with personnel actions. On September 17, 2013, I was contacted by Mr. Blumenthal and during the intimidating conversation I was advised by Mr. Blumenthal that "in order to strengthen who I am, what I do, and my situation at NCD, I need to look pass the issues within the office and work to correct them next fiscal year. He further stated that it was the way to validate me and my position within NCD and referred to the act as a "trade-off." After I refused to compromise my integrity I began to receive an abundance of harassing emails with direct orders from both the Chairperson and Gary Blumenthal; and finally on September 30, 2013, Rebecca Cokley and Jeff Rosen made a serious false allegation against me claiming suspicious activity in my office in order to have me and my husband (who stopped by to take me to brunch) removed from the premises and my keys confiscated. The suspension proposal also states that "I have lost confidence in your ability to professional and appropriately carry out the functions of your duties and that your performance has been at least fully successful." These comments were offensive and unfounded, as my performance has been nothing less than superior and from Executive Director's Rebecca Cokley's hire to present she has never had a performance-related conversation with me orally or in writing. She has shown no interest in my duties nor has she taken time out to familiarize herself with my duties or to conduct a regulatory required progress review or initiate a performance plan. Also, per the NCD Bylaws, the Chairperson also neglected his duties by not placing the Executive on a performance plan to hold her accountable for performance issues. In light of all of the above, and made clear to me by the specious nature of the charges against me, I strongly believe that the proposed suspension is the product of retaliation against me for my protected disclosures to OSC and for my EEO complaint, and as discrimination against me as an African American and as an individual without an apparent physical disability. For these reasons, I do not believe the proposed suspension may be legally or ethically sustained.

Under penalty of perjury, I declare that the foregoing is true and correct. Executed this 27th day of November, 2013.


Sylvia Jones

RE: HR contract with GSA

Sylvia Jones <sjones@ncd.gov>

Tue 5/28/2013 12:19 PM

To: Rebecca Cokley <rcokley@ncd.gov>;

Rebecca,

Per our conversation re: utilizing the supervisory chain to communicate with the Chair: please note that NCD's contract with GSA expires on September 30, 2013.

Thank you,

Sylvia Meniffee

Director of Administration
National Council on Disability
1331 F Street, NW, Suite 850
Washington, DC 20004
Ph: 202-272-2113
Fax: 202-272-2022
smeniffee@ncd.gov

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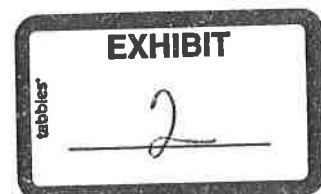
From: Jeff Rosen
Sent: Tuesday, May 28, 2013 9:23 AM
To: Sylvia Meniffee
Cc: Rebecca Cokley; Lynnae Rutledge
Subject: HR contract with GSA

Sylvia -

Please provide the expiration date of NCD's contract with GSA to receive HR services.

-Jeff

<https://outlook.office365.com/owa/>



11/5/2013

POSITION DESCRIPTION (Please Read Instructions on the Back)

2. Reason for Submission <input type="checkbox"/> Redescription <input checked="" type="checkbox"/> New <input type="checkbox"/> Reestablishment <input type="checkbox"/> Other		3. Service <input checked="" type="checkbox"/> Hdqtrs <input type="checkbox"/> Field		4. Employing Office Location Washington, DC		5. Duty Station Washington, DC		1. Agency Position No. NK-95	
6. OPM Certification No. [Blank]		7. Fair Labor Standards Act <input checked="" type="checkbox"/> Exempt <input type="checkbox"/> Nonexempt		8. Financial Statements Required <input type="checkbox"/> Executive Personnel Financial Disclosure <input type="checkbox"/> Employment and Financial Interest		9. Subject to IA Action <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		13. Competitive Level Code 1501	
10. Position Status <input type="checkbox"/> Competitive <input checked="" type="checkbox"/> Excepted (Specify in Remarks) <input type="checkbox"/> SES (Gen.) SES (CR)		11. Position Is <input checked="" type="checkbox"/> Supervisory <input type="checkbox"/> Managerial <input type="checkbox"/> Neither		12. Sensitivity <input checked="" type="checkbox"/> 1-Non-Sensitive <input type="checkbox"/> 2-Noncritical Sensitive <input type="checkbox"/> 3-Critical <input type="checkbox"/> 4-Special Sensitive		14. Agency Use [Blank]		15. Classified/Graded by [Blank]	
16. Organizational Title of Position (if different from official title) General Counsel and Director of Policy		17. Name of Employee (if vacant, specify) [Blank]		18. Department, Agency, or Establishment National Council on Disability		19. Employee Review-This is an accurate description of the major duties and responsibilities of my position. [Blank]		20. Supervisory Certification. I certify that this is an accurate statement of the major duties and responsibilities of this position and its organizational relationships, and that the position is necessary to carry out Government functions for which I am responsible. This certification is made with the knowledge that [Blank]	
21. Classification/Job Grading Certification. I certify that this position has been classified/graded as required by Title 5, U.S. Code, in conformance with standards published by the U.S. Office of Personnel Management or, if no published standards apply directly, consistently with the most applicable published standards. Typed Name and Title of Official Taking Action Maurice Hubbard HR Specialist		22. Position Classification Standards Used in Classifying/Grading Position General Schedule Supervisory Guide JRCD-5 June 1998, April 1998		23. Position Review [Blank]		24. Remarks This is a Non-Bargaining Unit Position This position is at the Full Performance Level, GS-15		25. Description of Major Duties and Responsibilities (See Attached) [Blank]	

Supervisory Attorney-Adviser, GS-0905-15
General Counsel and Director of Policy,

Introduction

Incumbent serves as the Supervisory Attorney-Adviser (General, General Counsel and Director of Policy for the National Council on Disability (NCD), an independent Federal agency, subject to the provisions of title 5 USC and established by the Vocational Rehabilitation Act, as amended in 1978, and the Rehabilitation Amendments of 1984 (PL 221), dated February 22, 1984. The NCD staff supports the Council which is comprised of 15 members appointed by the President and confirmed by the Senate. The Council's principal purpose is to develop recommendations to use in advising the President, the Congress, federal entities, the states, and occasionally international entities on policies and programs that promote full inclusion, independence, and equal opportunity for people with disabilities.

Major Duties

As General Counsel, incumbent is a principal legal expert in the federal government on highly complex and ground breaking areas of disability policy and associated legal and regulatory issues. Incumbent, drafts legislative proposals that have national, state and international impact; prepares briefs and testimony dealing with case law and issues relating to legal precedent based on court decisions; and, regularly provides advice and assistance to the General Counsels of other federal agencies, to senior government officials, to Members of Congress and their staff, to the members of the Council and to the NCD Executive Director on a wide range of issues affecting the disability community.

Manages and supervises the day-to-day operation of the Policy Analyst and Attorney-Adviser staff. The incumbent exercises a full range of supervisory responsibilities including, but not limited to, planning and assigning work, evaluating work performance, either as a rating or reviewing official, and recommending performance awards; advising and instructing employees on work methods and strategies; overseeing and approving the hiring of personnel; hearing and resolving complaints; effecting minor discipline and referring more serious disciplinary actions to a higher level supervisor or manager; and ensuring the development needs of the staff are met.

As General Counsel, incumbent serves as the liaison to NCD ethics official and as the senior attorney ensuring the agency is operating within the law as it relates to the full range of administrative and operational functions.

As Director of Policy incumbent is responsible for initiating and managing a broad research program and personally conducting analysis on issues relating to disability programs and policies based on the broad direction provided by the Council and the Executive Director. Regularly provides advice and assistance to other federal agencies, to senior government officials, to Members of Congress and their staff, to the members of the Council and to the NCD Executive Director on a wide range of issues, policies, and programs affecting the disability community.

The policies and programs relate to issues affecting the disability community at the Federal, State, and local levels and to the private/non-profit sector. In support of policy and program development requirements, incumbent manages, at a minimum, three permanent staff, in addition to contractor personnel and staff members on temporary assignment to meet short-term program needs. Staff members are involved in researching and responding to legal and legislative issues, policy analysis and applied research relating to disability policy and programs.

As directed by the Executive Director, the incumbent acts for the Executive Director in his/her absence

Factor 1-3 – Program Scope and Effect

550 Points

The purpose of the work is to plan, conduct and coordinate broad, comprehensive policy studies of national and international significance in the area of disability policy. Incumbent must define issues and provide authoritative information and innovative recommendations on programs, policies, legislation and legal decisions affecting the disability community. Reports and legal briefs aid the policy making and program development activities of the Council, Members of Congress and their staffs, and policy/decision makers in both Federal and state agencies.

Factor 2-2 – Organizational Setting

250 Points

The Supervisory Attorney-Advisor (General) reports to the Executive Director which makes the position accountable to one reporting level below the first or higher level position in the direct supervisory chain.

Factor 3-3 – Supervisory and Managerial Authority Exercised

775 Points

The incumbent plans work to be accomplished by subordinates, sets and adjusts short-term priorities, and prepares schedules for completion of work. Assigns work to subordinates based on priorities, selective consideration of the difficulty and requirements of assignments, and the capabilities of the employees. Also, gives advice or instruction to employees on both work and administrative matters. The incumbent evaluates work performance of subordinates; hears and resolves complaints from employees and refers group grievances and more serious unresolved complaints to a higher level supervisor or manager. Effects minor disciplinary measures; identifies developmental and training needs of subordinates; and discovers ways to improve production or increase the quality of work directed.

Factor 4A-4 – Personal Contacts

100 Points

Incumbent has frequent contact with the Presidentially-appointed Council Chair and Council members, high-level officials and staff from other government agencies, prominent persons from the public and private sectors involved with issues affecting the disability community, Members of Congress and their staff, Federal judges, and White House staff.

Factor 4B-3 – Purpose of Contacts**100 Points**

The purpose of contacts is to present information and balanced analyses of NCD developed program and policy recommendations which is critical to their implementation, interpret policy on complex public policy questions to policy makers, and research and evaluate the need for new programs and policies.

Factor 5-8 Difficulty of Typical Work Directed**1030 Points**

As the General Counsel, performs a wide range of functions for the NCD, an independent Federal agency, including drafting reports and opinions of a policy making nature, providing legal advice that is based on a high level of legal research which takes into consideration the impact on other Federal and state agencies and the private/non-profit sector, and serving as the liaison to the agency ethics official and senior attorney-advisor on the full range legal issues involved in agency administration and operations.

As the Director of Policy, utilizing professional expertise in the field of disability policy, develops, personally conducts, and/or coordinates studies of issues related to and affecting the disability community. In consultation with the Council Chair and Executive Director, identifies and defines specific issues. Personally develops or coordinates the efforts of subordinate staff members to develop data, identify sources of information, perform analysis using a variety of quantitative and qualitative techniques and methods, synthesize results and prepare comprehensive reports for use by the Council in formulating disability policy and programs and proposing changes in legislation and/or regulations.

Factor 6-6 Other Conditions**1325 Points**

This position is responsible for monitoring and evaluating the efficiency, and productivity of assigned programs, and to implement revised policies, procedures and activities in support of the assigned program's organizational goals. Supervision at this level requires substantial coordination and integration of a number of major work assignments, projects, or program segments of professional, technical or administrative work comparable in difficulty to the GS-13 or higher level. Work performed significantly contributes to the effectiveness of assigned programs and further affects the quality of assessments performed by staff employees and contractors, and ensures the legal and regulatory sufficiency of assigned programs. The incumbent provides leadership in developing, implementing, evaluating and improving processes and procedures to monitor the effectiveness, efficiency, and productivity of the program segment and/or organization directed.

In addition, the incumbent must be a Member of the Bar and possess an extensive professional knowledge of the law as it relates to issues affecting the disability community.

As senior attorney, must possess the knowledge and application of federal rules and regulations as they relate to agency ethics determinations and general administrative and operational functions in order to advise the Executive Director and the Council.

Incumbent must possess the professional legal knowledge and expertise to deal with extremely complex and difficult legal questions or factual issues involved in drafting, interpretation or the application of legislation, regulations, complex policy issues, contracts, orders, decisions or other legal instruments.

The incumbent demonstrates a comprehensive knowledge of public issues and programs relating to the disability community in order to manage a far-ranging program of research and program development, to advise senior officials at all levels of Federal, state and local governments and the private/non-profit sector, and to assist Congressional staff in the development of legislation.

The incumbent possesses a thorough knowledge of the executive, legislative and judicial decision making processes.

Also, demonstrates skill in preparing and presenting highly complex technical issues, especially to non-specialists in the area of disability policy and programs; and in dealing with decision makers and their immediate staffs.

In order to supervise a team of professional staff involved in research, advisory and program development issues the incumbent must possess leadership and management skills.

The incumbent must demonstrate the ability to communicate orally and in writing.

From: DrGerrie Hawkins
Sent: Sunday, September 29, 2013 8:42 AM
To: DrGerrie Hawkins
Subject: Help for Work Environment

Good Sunday morning!
Hopefully, this communication finds that things are well with you, regardless of when you are reading it.

I am appealing to you for help.

As you may or may not be aware, beyond and beneath what some people describe as a calm demeanor, my health status and work performance are both being affected in a negative way by our current work environment. Please note that I have learned well over the years that a toxic work environment is detrimental to the status of my disability and recovery. Thus, I engage in being more proactive now as a self advocate who wants and needs to place positive energy and time on tasks that are before us to accomplish on behalf of the community as I write at this point in life.

During our last staff meeting I asked the question about where does a director turn if there are concerns during the absence of the Executive Director, since no one has been identified to serve as interim. I understood that we were to feel free to contact the GSA staff assigned to assist this small agency. Since that meeting, I requested and was given a name and telephone number of a person at GSA. Unfortunately, the person has not contacted me again since hearing a part of the concerns I described this past week via telephone. I definitely am disappointed but will try again.

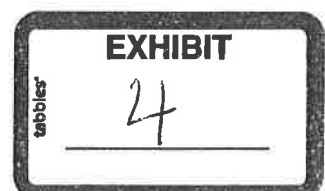
I am sharing this with you and selected staff so that there are no surprises at the directorate level and acting general counsel(since that GC role is on par with, rather than beneath the directorate leadership level). I have chosen not to include any staff who are on medical leave nor any of the council appointees now. I think being "open" in ways not intended to harm anyone across the staff in general is vital to improving communications that will help the work environment.

I came in this past week despite health and work environment concerns. My work days were much less productive than needed and I completed many tasks during wee hours at home, burning the candle at both ends daily. Right now there is much uncertainty about my being able to come into the office on Monday, September 30, 2013. However, I hope to be able to come into the DC office on Tuesday morning, October 1, 2013, even it is only to help with tasks needed for an impending federal government shutdown. Whenever I return, please observe the note that might be on my closed door. It will be a reasonable accommodation that I used some years ago which really helped

Thank you soo much for taking the time to consider this communication and here's to a fantastic rest of the day!

Gerrie

Dr. Gerrie-Drake Hawkins (Ph.D.), Senior Policy Analyst (202)-272-2116 (voice); 272-2074 (TTY)
National Council on Disability, Washington, DC www.ncd.gov; <http://www.facebook.com/NCDgov>

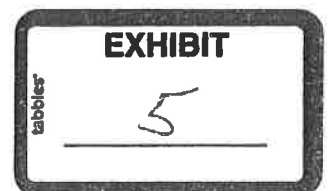


Sylvia Jones

From: Julie Carroll
Sent: Thursday, September 12, 2013 11:29 AM
To: Sylvia Menifee
Subject: Automatic reply: Travel Reimbursement for Robert Burgdorf

Thank you for your email message. I will be out of the office until September 23. If you need immediate assistance, please call NCD's main number: 202-272-2004.

Julie



Appendix I

Telework Application and Agreement

This application is to be completed by anyone interested in participating in the NCD Telework Program. It includes information that must be completed by both the employee and the supervisor after reading participation guidelines and policies. Manager and employee will then discuss the application as well as the telework terms and conditions, after which the application will be endorsed, modified, or denied. The manager should document the supporting rationale for this decision (see pg. 4).

To Be Completed By the Employee

Date 08/30/2013

Name Julie Carroll

Job Title and Grade Senior Attorney Advisor, GS 14

Room Number _____

Work Phone 202-272-2019

Work E-mail jcarroll@ncd.gov

Work Fax 202-272-2022

Home Fax (if applicable) 703-532-0619

Home Address

2307 Locust Ridge Ct
Falls Church, VA 22046

Home Phone 703-532-0619

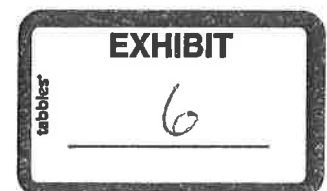
What job tasks will you perform when you are telecommuting?

All tasks under my performance plan

How will telecommuting help you be more effective in your job?

Regular telecommuting days (every other Monday) enable me to concentrate on tasks without interruption, such as reading reports, writing Cooperative Agreements and contracts, and reviewing deliverables.

Episodic telecommute days will enable me to continue work from home when I would otherwise have to use sick leave due to health conditions.



How will you continue to provide optimal customer service while telecommuting (please identify your customers in answering this question)?

I will attend teleconferences with NCD teams and contractors and communicate via email and phone with NCD members, staff, contractors, other agency colleagues, and disability stakeholders.

Considering the nature of your job, what kind of telework arrangement are you seeking?

- ☒ X Episodic
- ☐ Intermittent
- ☐ X Regular

If you are seeking a regular or intermittent telework arrangement, how often do you plan to telecommute?

- ☐ ___ days/year specify: _____
- ☐ ___ days/month specify: _____
- ☐ ___ days/week
- ☐ ___ X other every other Monday

If you are seeking a weekly arrangement, what days do you propose to work?

- ☐ Monday ☐ Thursday
- ☐ Tuesday ☐ Friday
- ☐ Wednesday

What will be your tour of duty on telework days? 7:30 AM – 4:00 PM, with one-half hour for lunch at approximately 12:30 PM
include meal break and/or any break duty hours, if applicable)

Are you on any other flexible work schedule that will continue? ☐ Yes ☒ No X

If yes, what kind of schedule is it?

- ☐ AWS – compressed work schedule
- ☐ AWS – flexible work schedule
- ☐ Other (please describe) _____

Where will your telework site be located? ☐ Home X ☐ GSA Telework Center (specify which) _____

How far in advance would you need to be notified to come in to the office on a telecommute day?

Before 4:15 on previous day (in order to arrange para transit)

What methods of communication will you use when you are telecommuting (check ALL that apply)?

- | | |
|--|--|
| <input checked="" type="checkbox"/> Phone X | <input checked="" type="checkbox"/> Fax X |
| <input checked="" type="checkbox"/> E-mail X | <input checked="" type="checkbox"/> Pager/Blackberry |
| <input checked="" type="checkbox"/> Voice mail X | <input type="checkbox"/> Other |

Which computer applications (e.g., email, ITAS, IMPAC II, etc.) would you need to access on your telework days?

Outlook, Word, Adobe Reader

Will you be taking documents out of the office in order to telework? ☐ yes ☐ no
Electronic only

If "yes", what types of documents (give examples)?

NCD papers and reports, correspondence, meeting agendas, contracts, cooperative agreements

What steps will you take to safeguard these documents?

Virus protection - Microsoft essentials, Malware bites

Do these documents contain sensitive information (please specify)?

No

Will you require remote access to sensitive information? ☐ yes ☐ No
No

If "yes", how will you safeguard this information?

Telework Terms and Conditions

- I agree to perform services for the NCD as a teleworker and understand that teleworking is a work alternative that must be requested and approved by my manager prior to beginning to telework. The telework arrangement may be modified or terminated by my manager at any time when, in his/her judgment, it adversely affects service to customers or the operation of the Agency.

- I agree that my duties, obligations, responsibilities, and conditions of employment with the NCD remain unchanged, and that my salary and benefits remain unchanged and are not affected by telework.
- I agree that my work schedule, overtime compensation (if any), leave, and other terms and conditions of employment will conform to the current collective bargaining agreement or personnel policy as applicable, and meet the terms agreed upon with my manager.
- I agree to develop an effective communications strategy with my supervisor and work group including required meetings held at the NCD and will follow that approved strategy throughout my telework schedule.
- I agree that if applicable, I will establish dependent care arrangements during agreed upon work hours.
- I agree to designate a remote workspace, subject to manager approval, that is free from safety hazards.
- I agree to protect the remote worksite from hazards and danger that could affect the equipment and me.
- I understand that participation in this program is not an entitlement and that my manager or I may terminate it at any time.
- I agree to restrict use of any NCD provided equipment, software, data, and supplies, which are located at my remote worksite to the sole use of conducting NCD business.
- I agree to return to the NCD any telework equipment, software, data, and supplies which were supplied by the NCD (see Appendix 2) upon my termination of telework or termination of employment.
- In the event of equipment malfunctions, I agree to notify my supervisor immediately. I understand that if a malfunction precludes me from working from my remote location, then I may be assigned other work or be asked to report to the primary office worksite.
- I understand that my remote worksite is considered an extension of the NCD primary worksite, and if I am injured in the course of actually performing official duties at the telework office during the agreed upon work hours, I am governed the provisions of the Federal Employees' Compensation Act. I understand that attending to personal comfort needs is not considered official duties. If I have a job related accident during my telecommuting hours I will report it to my supervisor immediately.
- Provided I am given 24 hours notice, I agree that the NCD may make on-site visits to my remote worksite during normally scheduled work hours, to investigate the condition and area related to any workers' compensation claim that occurred at the telework site.
- I agree to be liable for injuries to third parties and/or household members that occur at my remote worksite, and to indemnify and hold the NCD harmless regarding any such injuries.
- I agree to be responsible for the maintenance and repair of all my personal property, and I understand I should have appropriate insurance coverage.

- I agree that all products, documents, reports, and data created as a result of my work related activities are owned by the NCD, and will be properly secured and returned to the NCD as requested.
 - I acknowledge that I have been supplied with and have read the NCD telework policy and will adhere to all other applicable policies and laws.
 - I understand that the information, inquiries, or surveys may be used for data collection and evaluation of the NCD Telework Program.
 - I understand that if my scheduled telework day falls on the day of a scheduled quarterly meeting I will come into the office or attend the meeting.
-
- NCD will not be responsible for any costs associated with injury; damage, home maintenance or any incidental costs whatsoever associated with your performance of work duties during teleworking.

Employee Signature _____ JULIE CARROLL DATE _____

To Be Completed By Approving Official:

The request to telework is:

☒ *Approved, for the period of one year

☐ Denied, because _____

Eligible for reconsideration: ☐ yes, when conditions above are addressed ☐ no

Approving Official Signature: _____

Geraldine Drake Hawkins
(ACTING DIR. of POLICY)

Date: 09/10/2013

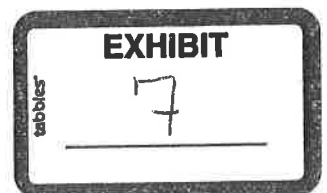
Supervisor Signature (if different than above): _____

Sylvia Jones

From: Julie Carroll
Sent: Tuesday, August 27, 2013 3:56 PM
To: NCD-Staff
Subject: Wednesday Telework

Tomorrow, I will work from home as a result of the street closures in DC.
Julie

No virus found in this message.
Checked by AVG - www.avg.com
Version: 2012.0.2242 / Virus Database: 3211/6113 - Release Date: 08/27/13



Sylvia Jones

From: Rebecca Cokley
Sent: Thursday, August 29, 2013 10:13 AM
To: Sylvia Meniffee
Subject: RE: Julie

Sylvia

Thank you for your concern. I will discuss this with her supervisor today and additionally bring up the need for an updated telework plan. I'm going to send out an email to all staff regarding telework plans and informing them that you will be dedicated time on Wednesday's staff meeting (originally a management, but now switching to staff) to bring folks up to speed on federal telework policy.

Thank you for bringing this to my attention.

Rebecca Cokley
Executive Director
National Council on Disability
1331 F Street NW, Suite 850
Washington, DC 20004
202-272-2124 Voice
202-272-2074 TTY
202-272-2022 Fax
Rcokley@ncd.gov
Website: <http://www.ncd.gov>

From: Sylvia Meniffee
Sent: Thursday, August 29, 2013 10:07 AM
To: Rebecca Cokley
Subject: FW: Julie

Rebecca,

The purpose of my email is to express concern over the frequency of the telework flexibilities extended to Julie. Between August 13 and today August 29, Julie has teleworked approximately 7 days (Aug 13, Aug 16, Aug 19, Aug 23, Aug 26, Aug 28, and Aug 29). She also teleworked on July 29 to substitute her Aug 5 telework day (per email from Joan). No other staff member to include myself has been afforded the same telework flexibilities as Julie. Per the expired telework agreement on file for Julie she was approved to telework 2 days per month, every other Monday which has not been the case. I know that Julie's leave balances are low however telework should not be used as a tool to circumvent taking leave (*if that's the case*).

As you know, Anne addressed the issue of telework on August 16. The flexibilities provided to Julie, if not provided to all staff will have an affect on office morale.

Thank you,

Sylvia Meniffee

Director of Administration
National Council on Disability
1331 F Street, NW, Suite 850
Washington, DC 20004
Ph: 202-272-2113
Fax: 202-272-2022
smeniffee@ncd.gov

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From: Robyn Powell
Sent: Thursday, August 29, 2013 9:11 AM
To: NCD-Staff
Subject: Julie

Julie is working from home today.

No virus found in this message.
Checked by AVG - www.avg.com
Version: 2012.0.2242 / Virus Database: 3211/6119 - Release Date: 08/29/13

No virus found in this message.
Checked by AVG - www.avg.com
Version: 2012.0.2242 / Virus Database: 3211/6119 - Release Date: 08/29/13

No virus found in this message.
Checked by AVG - www.avg.com
Version: 2012.0.2242 / Virus Database: 3211/6119 - Release Date: 08/29/13

Sylvia Jones

From: Robyn Powell
Sent: Friday, August 30, 2013 9:29 AM
To: NCD-Staff
Subject: Julie

Julie is working from home today.

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2012.0.2242 / Virus Database: 3222/6138 - Release Date: 09/04/13

RE: September Leave Forms

Julie Carroll <JCarroll@ncd.gov>

Mon 11/18/2013 3:45 PM

To: Sylvia Jones <sjones@ncd.gov>; DrGerrie Hawkins <DHawkins@ncd.gov>; Robyn Powell <RPowell@ncd.gov>;
Cc: Rebecca Cokley <rcokley@ncd.gov>;

Sylvia,
Under "Remarks" on the leave form, it explains that hours not accounted for were hours I teleworked (with my supervisor's approval).
Julie

-----Original Message-----

From: Sylvia Jones
Sent: Monday, November 18, 2013 3:11 PM
To: DrGerrie Hawkins; Robyn Powell
Cc: Rebecca Cokley; Julie Carroll; Sylvia Jones
Subject: RE: September Leave Forms

Hi Gerri,

If the time does not cover Julie's entire tour of duty (8hours) I need to know how the remaining hours for that day are being recorded or account/for.

Sylvia

From: DrGerrie Hawkins
Sent: Monday, November 18, 2013 3:07 PM
To: Sylvia Jones; Robyn Powell
Cc: Rebecca Cokley; Julie Carroll
Subject: September Leave Forms

Will scan forms and provide throughg you in-boxes the info for September 2013:

3: 7 hrs

4: 7.5hrs

5: 6 hrs

6: 5 hrs

9: 6 hrs

10 - 13: 32 hours

16 - 18: 24 hours

19: 8 hrs

20: 4 hrs

23 - 27: 40 hours

30: 8 hrs

Dr. Gerrie-Drake Hawkins (Ph.D.), Senior Policy Analyst (202)-272-2116 (voice); 272-2074 (TTY) National Council on Disability, Washington, DC www.ncd.gov; <http://www.facebook.com/NCDgov>

RE: Notice - Government Shutdown Furlough

Sylvia Jones <sjones@ncd.gov>

Tue 10/1/2013 11:04 AM

To: William Haygood <whaygood@globalnetworkers.com>;

Cc: Sylvia Jones <sjones@ncd.gov>;

Mr. Haygood,

Per our prior discussions regarding contract performance...in order to enhance the efficiency of information technology needs within the agency and to address ongoing priority IT projects, as the Contracting Officer's Technical Representative for the GlobalNetworkers contract I have requested to replace the onsite consultant for the last 90 days of the contract due to performance issues that we previously discussed.

The NCD does not have a Contracting Officer. However as the Director of Administration I oversee the contract and I'm responsible for contract performance and deliverables to include overdue implementation of various IT projects which includes, the VPN, HSPD-12 compliance, Firewall Security, Trusted Internet Connections reporting, etc. As well as server issues, mail issues, and issues pertaining to the security of office equipment.

The replacement of the onsite consultant for the last 90 days of the contract will afford the office the opportunity to obtain a more knowledgeable and innovative IT consultant that will improve current IT operations.

Do not hesitate to contact me if you need additional information pertaining to this request.

Thank you,
Sylvia

From: William Haygood <whaygood@globalnetworkers.com>

Sent: Tuesday, October 01, 2013 10:18 AM

To: Sylvia Jones

Subject: RE: Notice - Government Shutdown Furlough

Thanks Sylvia.

Per our discussion, could you please put your request to replace our onsite consultant in writing. I just need that on file in order to execute the request. I am told by the SBA that I need these types of request in writing from the Contracting Officer. I believe that is your role, but I am unsure. Could you please provide this to me

<https://outlook.office365.com/owa/>



11/20/2013

Given the current shutdown, Nick is not going to return to the office, anyway, until I tell him otherwise. That should give us time to get this done if that is what you request in your communication.

Thanks,
William

W. Haygood
(704) 724-3330 mobile
www.globalnetworkers.com

From: Sylvia Jones [mailto:sjones@ncd.gov]
Sent: Tuesday, October 01, 2013 9:27 AM
To: William Haygood
Cc: Sylvia Jones
Subject: Notice - Government Shutdown Furlough

Good Morning Mr. Haygood,
As you may already know, Congress failed to enact funding through an annual appropriations law or a continuing resolution necessary to operate the agency resulting in a "shutdown furlough" in which all NCD members and staff are affected.
Due to the furlough shutdown all NCD staff will be furloughed and the NCD Office will close at noon today until further notice. I will contact you upon my return to duty.
Thank you,
Sylvia Meniffee-Jones
Director of Administration
National Council on Disability

E-mail

Rebecca Cokley <rcokley@ncd.gov>

Fri 6/28/2013 10:00 AM

To: Sylvia Jones <sjones@ncd.gov>;

Cc: Lynnae Rutledge <lrutledge@ncd.gov>;

Ms. Meniffee,

I am in receipt of your email to the Council Members.

In your position as Administrative Office you must understand that this conduct is inappropriate. As you have previously filed an EEO complaint you are aware that the appropriate avenue to address complaints of discrimination is with the EEOC. I reminded you of this in an email dated June 25, 2013 where I wrote "I am sorry you believe these actions are retaliation, harassment and discrimination. As Administrative Officer you know the appropriate appeals processes when you have such beliefs." Despite this, you have attempted to involve the Council in your complaint.

You have previously stated that you have raised issues to Special Counsel. Those same issues would also be inappropriate to bring to the Council Members.

The following is a direct order; failure to follow this order could result in disciplinary action up to and including removal from the National Council on Disability.

You will cease to issue inappropriate communications with Council Members (and others) and channel your complaints through appropriate authorities. Also, you will also be more civil in all your communications with myself and others, especially in your emails.

While you may have issues/concerns, you must remain civil in your communications and raise them appropriately.

If you have concerns about this communication, please come and see me directly.

Rebecca Cokley

Executive Director

National Council on Disability

1331 F Street NW, Suite 850

Washington, DC 20004

202-272-2124 Voice

202-272-2074 TTY

202-272-2022 Fax

Rcokley@ncd.gov

Website: <http://www.ncd.gov>

No virus found in this message.

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Version: 2012.0.2242 / Virus Database: 3211/6093 - Release Date: 08/20/13





GSA Mid-Atlantic Region

UPS

October 31, 2013

Ms. Sylvia Meniffee Jones
5603 Judicial Drive
Glen Dale, MD 20769

Reference: EEO Complaint of Discrimination filed by Sylvia Meniffee Jones
GSA Case Number 13-NCR-NCD-2

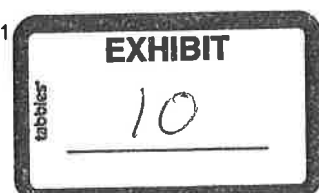
Dear Ms. Jones:

This acknowledges receipt of your e-mail messages dated September, 9 and 13, 2013 and October 17 and 21, 2013 requesting to amend your formal complaint of discrimination. It has been determined that the referenced complaint is being amended effective October 31, 2013, to include the following claims:

Whether you were subjected to a hostile work environment (harassment) on the bases of your Race (African American), Color (Dark), Sex (Female), and Disability (Physical) between February 2013 and September 2013 when:

1. **February 2013 to present** when you continue to receive rude, threatening and harassing emails from management.
2. **February 2013 to present** when you were subjected to intimidation and bullying tactics against complainant in the workplace by management.
3. **March 2013 to present** when you are overloaded with an abundance of duties and responsibilities belonging to the Executive Director and Financial Analyst.
4. **August 6, 2013 to present** when management intentionally delayed mission critical work products completed by you.
5. **August 26, 2013** you were excluded from a White House/National Council on Disability (NCD) event.
6. **September 11, 2013 and September 12, 2013** you received a series humiliating and demeaning email from management for taking sick leave due to disability.
7. **September 12, 2013** when your right to privacy was intentionally violated by management in an attempt to inflict humiliation
8. **September 27 to present** your supervisory authority was removed.
9. **September 30, 2013** when management made a serious false allegation against you to the Federal Protective Service (FPS) in an attempt to have you and your spouse removed from the premises.

U.S. General Services Administration
The Strawbridge's Building
20 North Eighth Street
Philadelphia, PA 19107-3191
www.gsa.gov



10. **September 2013 to present** NCD management has willfully and intentionally stalled the EEO Investigative process in order to continue the infliction of harassment.

The above claims appear to be like and related to the instances of discrimination filed with the agency on July 11, 2013, and acknowledged on July 11, 2013. Therefore, your complaint is being amended to include the above instance of discrimination now pending investigation before the agency.

Please be advised that the written notice and timeframes for exercising those rights, as stated in the August 2, 2013 letter, remain the same.

If you believe the claim(s) in this complaint have not been correctly identified, please notify me, in writing, within 5 calendar days after your receipt of this letter, specifying why you believe that the claim(s) have not been correctly identified. If no response is received from you within the specified timeframe, the accepted claim(s) will be forwarded for formal investigation.

Pursuant to 1614.106(e) (2), the agency is required to complete its investigation of an EEO complaint within 180 days of the filing of a complaint unless the parties agree in writing to extend the time period. If a complaint is amended, however, this deadline is adjusted so that the agency must complete its investigation with the earlier of 180 days after the last amendment to the complaint or 360 days after the filing of the original complaint. Since the complaint is in the investigatory phase, this amendment will be forwarded to the contract investigator for processing.

If you have any questions, please call me on (215) 446-4967.

Sincerely,



Sylvia A. Anderson
Regional EEO Officer
Mid-Atlantic Region

RE: leave

From: **Sylvia Jones** (sjones@ncd.gov) You moved this message to its current location.
Sent: Wed 10/30/13 12:57 PM
To: Rebecca Cokley (rcokley@ncd.gov)
Cc: Sylvia Jones (sjones@ncd.gov)
1 attachment
Oct 28 29 Leave Form.pdf (80.8 KB)

Rebecca,

It appears that you are not tracking staff whereabouts and leave submissions which is a management/internal control issue. Not only did I submit my leave timely and in advance, you signed it over 60 days ago (August 22) - see attached.

I followed the rules. However you are not following and abiding by the same rules that you expect me to follow. You have not submitted leave forms and you stated "you will submit leave forms after taking leave" which is internal control and audit issue. You are also failing to enforce the rules with the white staff. As you are aware, Julie Carroll was absent without leave for over 3 weeks and to date she has not submitted leave forms. Anne Sommers was out of the office on Monday, Oct 28 and I have not seen her leave form.

I request to be treated fairly and equally in the workplace, free of discrimination. The rules and regulations should be consistent throughout the agency.

Sylvia

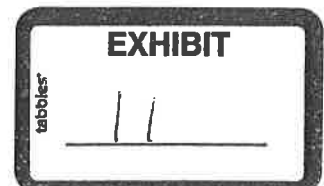
From: Rebecca Cokley
Sent: Monday, October 28, 2013 8:08 AM
To: Sylvia Jones
Subject: leave

Mrs. Jones

In the future you are to provide me with your leave requests in advance or as soon as practical. I was not aware of your absence until reading your out of office reply.

Please take care of Lawrence's hotel arrangements.

Rebecca



days as the fiscal year reaches it's conclusion. I agree with you that a substantial amount of observations you have made about contracts are clearly accurate, however with changes in the executive director's chair, as well as the NCD Chair, as well as membership on the Council, many of us, including myself as A&F Chair, have not been able to be as responsive to the issues you have rightfully raised.

I would respectfully ask you to consider working with me to fashion a statement, that outlines the reforms and fixes, and Corrective Action Plan, we must make to purchasing, procurements and procedures in the coming fiscal year which I could take to the Executive Committee to review and endorse; however I would ask that you assist us by completing the purchases and continuing obligations as the E Board has requested, including the Devis Contract, noting that the Corrective Action Plan will ensure that these purchases will be done with fully and correctly implemented contracts in the next fiscal year.

We are in a box and I think this requires us each to figure out how we can move ahead to keep the subject matter of our work continuing to flow out in a positive and supportive way. We need you and we need your guidance to help us work effectively.

Thank you for your consideration.

Gary

Request for Leave or Approved Absence

1. Name (Last, first, middle) <i>Monter Jones, Sylvia</i>			2. Employee or Social Security Number (Enter only the last 4 digits of the Social Security Number (SSN)) <i>ON File</i>		
3. Organization <i>NCD</i>					
4. Type of Leave/Absence (Check appropriate box(es) below)	Date		Time		5. Family and Medical Leave
	From	To	From	To	Total Hours
<input checked="" type="checkbox"/> Accrued Annual Leave	<i>10/28</i>	<i>10/29</i>	<i>8am</i>	<i>4pm</i>	<i>16</i>
<input type="checkbox"/> Restored Annual Leave					
<input type="checkbox"/> Advanced Annual Leave					
<input type="checkbox"/> Accrued Sick Leave					
<input type="checkbox"/> Advanced Sick Leave					
Purpose: <input type="checkbox"/> Illness/injury/incapacitation of requesting employee <input type="checkbox"/> Medical/dental/optical examination of requesting employee <input type="checkbox"/> Care of family member, including medical/dental/optical examination of family member, or bereavement <input type="checkbox"/> Care of family member with a serious health condition <input type="checkbox"/> Other					
<input type="checkbox"/> Compensatory Time Off					
<input type="checkbox"/> Other Paid Absence (Specify in Remarks)					
<input type="checkbox"/> Leave Without Pay					
6. Remarks:					
7. Certification: I hereby request leave/approved absence from duty as indicated above and certify that such leave/absence is requested for the purpose(s) indicated. I understand that I must comply with my employing agency's procedures for requesting leave/approved absence (and provide additional documentation, including medical certification, if required) and that falsification on this form may be grounds for disciplinary action, including removal.					
7a. Employee Signature <i>[Signature]</i>				7b. Date <i>8/22/2013</i>	
8a. Official Action on Request: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Disapproved				(If disapproved, give reason. If annual leave, initiate action to reschedule.)	
8b. Reason for Disapproval:					
8c. Supervisor Signature <i>Rebecca Oakley</i>				8d. Date <i>08/22/13</i>	
PRIVACY ACT STATEMENT Section 6311 of Title 5, United States Code, authorizes collection of this information. The primary use of this information is by management and your payroll office to approve and record your use of leave. Additional disclosures of the information may be: to the Department of Labor when processing a claim for compensation regarding a job connected injury or illness; to a State unemployment compensation office regarding a claim; to Federal Life Insurance or Health Benefits carriers regarding a claim; to a Federal, State, or local law enforcement agency when your agency becomes aware of a violation or possible violation of civil or criminal law; to a Federal agency when conducting an investigation for employment or security reasons; to the Office of Personnel Management or the General Accounting Office when the information is required for evaluation of leave administration; or the General Services Administration in connection with its responsibilities for records management. Public Law 104-134 (April 26, 1996) requires that any person doing business with the Federal Government furnish a social security number or tax identification number. This is an amendment to Title 31, Section 7701. Furnishing the social security number, as well as other data, is voluntary, but failure to do so may delay or prevent action on the application. If your agency uses the information furnished on this form for purposes other than those indicated above, it may provide you with an additional statement reflecting those purposes.					

FW: website services for FY14

From: Jeff Rosen
Sent: Tuesday, September 10, 2013 6:27:18 PM
To: Rebecca Cokley; Sylvia Meniffee
Cc: Gary Blumenthal (garyblumenthal@addp.org); Anne Sommers
Subject: RE: website services for FY14

I look to Sylvia's response to your inquiry Rebecca.

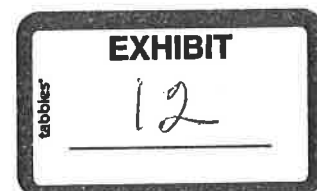
Everyone should be apprised that we will not allow NCD's website to go off line for any appreciable time. It is a vital information resource for NCD in serving its mission.

If it comes to it, I will sign off on continuing with DEVIS until NCD is able to recompute the contract. I support recomputing the contract as soon as possible. Perhaps we can negotiate with DEVIS a time limited extension of the current contract. However, NCD will continue to keep its website functioning through DEVIS or some alternative that staff identifies. Under no circumstances will NCD's website be allowed to be defunct for any period of time.

I appreciate the staff collaboratively working to address this issue. Please do not hesitate to let me or anyone on the Council know if we can be of any assistance.

-Jeff

From: Rebecca Cokley
Sent: Tuesday, September 10, 2013 5:36 PM
To: Sylvia Meniffee
Cc: Gary Blumenthal (garyblumenthal@addp.org); Jeff Rosen; Anne Sommers
Subject: FW: website services for FY14



Sylvia

As our Director of Operations, do you agree with Anne's assessment below? In absence of pursuing a full recomplete in FY14 are there any other options available to us at this time? Anne told me that we're waiting to get a cost estimate on the FY15 SOW, once you have those numbers can you appraise Gary, Jeff, and I about whether or not we'll have the funds in FY14 to pursue a recomplete then?

Rebecca Cokley

Executive Director

National Council on Disability

1331 F Street NW, Suite 850

Washington, DC 20004

202-272-2124 Voice

202-272-2074 TTY

202-272-2022 Fax

Rcokley@ncd.gov

Website: <http://www.ncd.gov>

From: Anne Sommers
Sent: Tuesday, September 10, 2013 3:28 PM
To: Rebecca Cokley
Subject: website services for FY14
Importance: High

Dear Rebecca:

Per your direction, I brought the Devis FY14 procurement request to Sylvia's attention this morning, and she advised me that she will not be involved in the process of this procurement, I believe out of continued concerns regarding the manner in which the services were originally contractually procured and concerns that arise out of renewing services from that contractual vehicle.

As you know, I wasn't involved in the procurement of Devis's services back in 2010, but came to assume the web content management responsibilities after Mark Quigley retired, Devis had already been given the project, and the website redesign was in the works. However, I've heard the concern flagged several times over the last couple years regarding the original "contract" with Devis as being inadequate, and thus subsequent renewals from it as being less than ideal.

Because I recently had to work on the FY15 Statement of Work for web services to enable us to get a cost estimate for the CJ for FY15 and to ultimately set the foundation for an eventual Request for Proposals during FY14 for a new service contract with option years to begin FY15, I had occasion to review some of the contract documents of sister agencies for nearly identical services. It was during the course of that review and contrast against solid contracts for the same services that I came to more fully appreciate the concerns Sylvia's been raising and how vulnerable NCD is as a result of a less than adequate original procurement.

As you know, the NCD.gov website will go offline in absence of a renewal of services. Our current contract's period of performance is through September 30, 2013.

Given that we have received strong caution from the procurement subject matter expert on staff against renewal from the original contracting vehicle with Devis, it may be advisable to accept that the website will go offline as an unavoidable outcome at this point and pivot instead to going into a full re-compete for services earlier than the anticipated FY15 timeframe, funds permitting. Although this may mean we are without a web presence for a more protracted length of time than a short outage (which will extensively complicate how we do business, release reports, and disseminate information), I'm not sure what other path forward I can see at this time.

I will return the procurement request I wrote up on 9/4 to you for whatever future action you choose to take.

Thanks,

Anne

Anne C. Sommers

Director of Legislative Affairs and Outreach

National Council on Disability (NCD)

1331 F Street, NW, Suite 850
Washington, DC 20004
202-272-0106 Voice
202-272-2074 TTY
202-272-2022 Fax
<http://www.ncd.gov>

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<http://www.facebook.com/NCDgov>

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Version: 2012.0.2242 / Virus Database: 3222/6153 - Release Date: 09/10/13

Idea

Gary Blumenthal <GBlumenthal@ncd.gov>

Mon 9/16/2013 8:00 PM

To:Sylvia Jones <sjones@ncd.gov>; Sylvia Jones <sjones@ncd.gov>;

Hi Sylvia,

I wanted to put my thoughts down on paper regarding what I mentioned on the phone with respect to our current fiscal, purchase and contract (or lack of) issues confronting the office.

First of all, I and others including Council Members and Staff recognize that you inherited a very problematic set of issues when you joined NCD. Federal procedures, contractual rules and internal controls were minimally respected at best. Working together, both you and Aaron made substantial progress in reforming the agency, it's procedures and it's adherence to federal regulations.

I agree with you that we have not been able to address all of the Council's needs, however I am very concerned that we don't have sufficient time to make all of the corrections needed during these few days as the fiscal year reaches it's conclusion. I agree with you that a substantial amount of observations you have made about contracts are clearly accurate, however with changes in the executive director's chair, as well as the NCD Chair, as well as membership on the Council, many of us, including myself as A&F Chair, have not been able to be as responsive to the issues you have rightfully raised.

I would respectfully ask you to consider working with me to fashion a statement, that outlines the reforms and fixes, and Corrective Action Plan, we must make to purchasing, procurements and procedures in the coming fiscal year which I could take to the Executive Committee to review and endorse; however I would ask that you assist us by completing the purchases and continuing obligations as the E Board has requested, including the Devis Contract, noting that the Corrective Action Plan will ensure that these purchases will be done with fully and correctly implemented contracts in the next fiscal year.

We are in a box and I think this requires us each to figure out how we can move ahead to keep the subject matter of our work continuing to flow out in a positive and supportive way. We need you and we need your guidance to help us work effectively.

Thank you for your consideration.

Gary



RE: Leave Slip

Robyn Powell <RPowell@ncd.gov>

Mon 9/23/2013 9:41 AM

To: Sylvia Jones <sjones@ncd.gov>;

Cc: DrGerrie Hawkins <DHawkins@ncd.gov>; Stacey Brown <SBrown@ncd.gov>; Rebecca Cokley <rcokley@ncd.gov>;

I sent to Rebecca and Gerrie.

From: Sylvia Jones
Sent: Monday, September 23, 2013 9:40 AM
To: Robyn Powell
Cc: DrGerrie Hawkins; Stacey Brown
Subject: Leave Slip

Hi Robyn,

I have not received your leave slip for Sept 9. Please forward.

Thank you,
Sylvia

From: Rebecca Cokley
Sent: Monday, September 09, 2013 9:19 AM
To: Sylvia Meniffee
Subject: Robyn

Is in the hospital today and will likely be discharged and back at work tomorrow.

Rebecca Cokley
Executive Director
National Council on Disability
1331 F Street NW, Suite 850
Washington, DC 20004
202-272-2124 Voice
202-272-2074 TTY
202-272-2022 Fax
Rcokley@ncd.gov
Website: <http://www.ncd.gov>



No virus found in this message.

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Version: 2012.0.2242 / Virus Database: 3222/6149 - Release Date: 09/09/13

Re: URGENT! Temp Appt. Chanda Bethea

Sharon Foxx - WPGA-C <sharon.foxx@gsa.gov>

Mon 9/23/2013 2:55 PM

To: Sylvia Jones <sjones@ncd.gov>;

Cc: Maurice Hubbard - CPW <maurice.hubbard@gsa.gov>; Anthony E Speights - CPW <anthony.speights@gsa.gov>;

I got your e-mail finally.

I have sent the cancellation and the extension to payroll for processing.

Let me know if you need anything further.

As soon as I have the notification that is has been processed I will let you know as well.

**Sharon Foxx, HR Contractor
Human Resources Specialist
Commissions and Boards
Office of the Chief People Officer
U.S. General Services Administration
301 7th Street SW
Washington DC 20407
Office Phone: 202-690-8930**

On Mon, Sep 23, 2013 at 2:04 PM, Sylvia Jones <sjones@ncd.gov> wrote:

Password: Chanda123

From: Sylvia Jones

Sent: Monday, September 23, 2013 2:03 PM

To: sharon.foxx@gsa.gov

Subject: FW: URGENT! Temp Appt. Chanda Bethea

Hi Sharon,

Per our conversation,

Attached is the SF-52 for processing in Maurice absence. The password to the protected file to follow.

Thank you,

Sylvia

From: Sylvia Jones

Sent: Monday, September 23, 2013 12:17 PM

To: Maurice Hubbard (WPGA)

Subject: URGENT! Temp Appt. Chanda Bethea

(b) (6)

Thank you in advance,

Sylvia

FW: NCD FY 13 Purchases

Sylvia Jones <sjones@ncd.gov>

Mon 9/23/2013 3:57 PM

To: Jeff Rosen <jrosen@ncd.gov>;

Cc: Sylvia Jones <sjones@ncd.gov>; Gary Blumenthal <GBlumenthal@ncd.gov>; Rebecca Cokley <rcokley@ncd.gov>;

Bcc: ginaj32@hotmail.com <ginaj32@hotmail.com>;

Jeff,

Pursuant to NCD Authorizing Statutue and the NCD Bylaws, the NCD Chair is not authorized to supervise office staff; nor is the NCD Chair responsible for managing the day to day operations of the office. Per the statutue and the bylaws, the chairperson is responsible for the appointment, supervision, and at his/her discretion, **removal** of the Executive Director.

As a result, I find your continous emails to be harrassing and retailatory in nature and the distractions and interruptions are impeding my workload.

Ms. Cokley issued me a direct order regarding these issues on June 28, 2013 and I complied with her direct order. Therefore I request that you cease and desist issuing any further communication due to the nature of the request as it pertains to a direct order issued to me by my supervisor.

Your threats are unwarranted and unlawful as you are acting outside the scope of your duties. If you have any questions in the absence of the NCD General Counsel, please consult with GSA. Also, please note that these unlawful threats against me have been forwarded to the appropriate government officials.

-Sylvia

From: Jeff Rosen
Sent: Thursday, September 19, 2013 10:02 AM
To: Sylvia Jones; Gary Blumenthal
Cc: Rebecca Cokley
Subject: RE: NCD FY 13 Purchases

Sylvia,

In Rebecca's absence I am giving you a direct order. Failure to follow this order can lead to disciplinary action up to and including removal.

You are directed to add \$80,000 to the cooperative agreement for managed care forums as directed by the executive committee (Item # 8 of their request), or to provide me with the written law, rule or regulation that prevents you from doing so by COB 9-23-13.

-Jeff

From: Sylvia Jones
Sent: Thursday, September 19, 2013 9:30 AM
To: Gary Blumenthal
Cc: Jeff Rosen; Rebecca Cokley; Sylvia Jones
Subject: RE: NCD FY 13 Purchases

Gary,

Our telephonic conversation concerning technology purchases is totally different than your email to me on yesterday. Per our conversation on Tuesday, you stated "that the technology purchases were not wise." It now appears that your position has drastically changed. Nonetheless please note the following:

The following purchases will be made via credit card today:

8 monitors
1 small TV

Also note:

1. OMB memorandum applies to all agencies to include micro agencies, which I advised all in the past.
2. Regarding the Manage Care Forum - per directive from Rebecca, I channeled my complaint concerning these matters to the appropriate authorities therefore I recuse myself from this matter.
3. Briefing the A&F Committee on the SOF, spending requests, etc., has always been the responsibility of the ED.

In closing, I would like to note that the "big bolded red letters" was condescending and humiliating as it gave an impression that you were talking down to me. During my tenure at NCD, you have never spoken to me in such a manner, which leads me to believe you're upset with me because I choose not to look the other way concerning issues in the office. You state that you want to work with me to help our agency run smoothly; as you know, I work extremely hard here and I'm willing to do anything for the agency as long as it's legal and ethical.

Respectfully,
Sylvia Jones

Director of Administration
National Council on Disability
202-272-2113

"To give real service you must add something which cannot be bought or measured with money, and that is sincerity and integrity." - Douglas Adams

From: Gary Blumenthal <garyblumenthal@addp.org>
Sent: Thursday, September 19, 2013 8:44 AM
To: Gary Blumenthal; Sylvia Jones
Cc: Jeff Rosen; Rebecca Cokley
Subject: RE: NCD FY 13 Purchases

Sylvia,

Please let me know when I can receive answers to my questions **(in Red Below)** today so that I may advise the Executive Board of progress being made in this area. Also I wanted to clarify that in the original notice of the meeting that I sent out the Agenda was attached noting SOF and spending requests.

Gary

From: Gary Blumenthal [mailto:garyblumenthal@addp.org]
Sent: Wednesday, September 18, 2013 4:31 PM
To: 'Sylvia Jones'
Cc: 'Jeff Rosen'; 'Rebecca Cokley'
Subject: RE: NCD FY 13 Purchases

Sylvia,

Please further clarify my notes in Red below:

Gary

From: Sylvia Jones [mailto:sjones@ncd.gov]
Sent: Wednesday, September 18, 2013 3:20 PM
To: Gary Blumenthal
Cc: Jeff Rosen; Rebecca Cokley; Sylvia Jones
Subject: RE: NCD FY 13 Purchases

Gary,
Leading up to A&F meeting this morning, you and I had several conversations regarding the recommended purchases for FY 2013 and prior to the end of our call on yesterday I explained to you

the difficulty in acquiring the purchases so late in the fiscal year. I say this because I was blindsided this morning... first with a request to brief the committee on the SOF and then to provide an update on the purchases, which is the responsibility of the ED. As I stated to you on Friday, last year there was three of us closing out the budget, Aaron, Carla and myself. This year I have no Carla, no help from the ED and my workload is heavy. There are a lot of pieces to closing out a budget and I just hope that I can get everything done that needs to be done timely.

Per your request...below is an update on the purchase request:

1.Immediate replacement of 10 computers:

Response: the price received for the units was a quote only. Due to contractual requirements we are unable to acquire these systems.

****Additionally, per OMB Memorandum M-11-11 dated February 3, 2011 agencies were directed to develop and issue an implementation policy as of March 31, 2011 requiring the use of the Personal Identity Verification (PIV) credentials as the common means of authentication for access to the agency's facilities, networks, and information systems. Also, effective the beginning of FY2012, procurement for services and products involving facilities and system access must be in accordance with HSPD-12 Policy and the Federal Acquisition Regulation (FAR).**

We have the current dollars in FY 13, we may need dollars for other usage in FY 14; what is the penalty or not being in accordance with the 3/31/11 PIV credential noting that we are a very small agency for which we this may not necessarily have been designed for in its design.

NCD is currently non-compliant to this policy therefore I strongly recommend that funding be approved to purchase appropriate equipment for staff in the upcoming FY.

2.Replace 8 monitor at \$195.....through GSA vendors 195 x 8 units = \$1560.00

Response: Nick failed to identify vendors for this purchase therefore we cannot make a purchase. Also, is there a need for 8 monitor's if we are not purchasing computers? To my knowledge only 3 monitors may be needed for dual-monitor purposes. **Nick identified Dell directly for this with credit card purchase initially, you suggested GSA. Why can we not purchase order today or credit card directly with Dell.com**

3.Printers

Response: All specs provided by Nick for the printers were outdated with the exception of one, though there was a slight price difference. Nonetheless, we were able to find compatible printers at Staples for a total price of \$2,271.33 which Stacey can purchase with the credit card upon your approval. **Thank you for facilitating this purchase today.**

4.Video Conferencing Citrix Go To Meeting \$39 x 4 meeting organizers \$2000

Response: This appears to be a typo. \$39 times 4 is \$156 not \$2000. Upon receiving clarification on this item I will look further into it and get back to you. **I look forward to your response.**

5. Video Editing for Lawrence Unique PC & accessories \$3000 range

Details:

Response: Per conversation with Lawrence he requires PhotoShop training. In addition, please note that Nick did not identify specific equipment, model numbers and/or item numbers for the purchases. Per the request...column 4, it appears that these items may be potential purchase for FY14 and FY15.

6. One television for C-SPAN -

Response: This is not a cost effective purchase. The agency currently has a rarely used TV in the conference room that can be transferred to the ED's office which will save the agency and tax payer's a \$1000. **This is a purchase decision authorized by the E Board who has made the judgement call on this. The cost of a small new model TV will be substantially less than \$1000. Please execute this today via Credit Card. This is a judgement call by the Executive Committee, you may not agree, but this is a directive from the E Board on behalf of the Council.**

7. Google Driverless Car Report -

Response: Contractual Issue

8. Manage Care Forums:

Response: Per earlier conversations, please note that is **not** a contract but instead a cooperative agreement. **Please add to this cooperative agreement as directed by the E Board. What is the reason for not adding to a cooperative agreement?**

I want to work with you to help our agency run smoothly. Please respond ASAP.

Please let me know if you have any questions.

Thank you,
Sylvia

From: Gary Blumenthal <garyblumenthal@addp.org>

Sent: Friday, September 13, 2013 1:01 PM

To: Sylvia Meniffee

Cc: Jeff Rosen; Rebecca Cokley

Subject: FW: NCD FY 13 Purchases

Sylvia,

I understand the difficult pressure you will be under to get this done today to meet the deadline. To the best of my knowledge this is a partial list of expenditures that the Executive Committee, Jeff and Becca have signed off on. I do believe there may be some additional expenditures from current FY 13 dollars that Jeff and Becca wish to make however I've not been able to get ahold of them today for confirmation. I am cc-ing Jeff and Becca on this email in the hope that they'll see it and respond asap.

Thank you.

Gary

1. Immediate replacement of 10 computers.....per unit cost: 1600 x 10 units
= \$16,000
Vendor: Advance Computer Concept recommended by Sylvia, better cost than Nick's recommendation

2. Replace 8 monitor at \$195.....through GSA vendors 195 x 8 units =
\$1560.00

3. Printers

4x HP P1606 DN \$210.96 each

HP Laserjet Pro 400 BW Printer
extra paper tray

HP Laserjet Pro 400 Color

HP 500

4. Video Conferencing Citrix Go To Meeting \$39 x 4 meeting
organizers \$2000

5. Video Editing for Lawrence Unique PC &
accessories \$3000 range
Details:

		PhotoAbility.com	\$300.00
--	--	------------------	----------

NCD IMPROVEMENT OPPORTUNITY	Inclusive photos for use on the website, publications, and infographics (photos are paid for per download and prices vary but many are \$20/each for websites)		FY14, FY15 - PhotoAbility.com	
NCD IMPROVEMENT OPPORTUNITY	HD Digital Camera for film, consistent with Jeff and other Council Members' and the ED's vision for expanding our video presence; purchasing for in-house use gives us creative control over look/feel and content	Samsung.com	One-time purchase	<u>\$499.99</u>
NCD IMPROVEMENT OPPORTUNITY	Sync Words Video Captioning Service (50-100 hours annual package, plus gov't discount)	SyncWords.com	FY14, FY15 - Sync Words	<u>\$139.00</u>
NCD IMPROVEMENT OPPORTUNITY	Audio production kit (podcast studio) to pursue adding brief podcast summaries of our reports to each report landing page going forward	Behringer.com	One-time purchase	<u>\$145.00</u>
		Adobe.com		<u>\$1,300.00</u>

NCD IMPROVEMENT OPPORTUNITY	Adobe PhotoShop for use in design of infographics, homepage slides, simple covers for in- house reports, etc. (\$650/computer)		One-time purchase	
NCD IMPROVEMENT OPPORTUNITY	Training -- GPO Photoshop training	The Institute at GPO (Government Printing Office)	One-time purchase	\$475.00

6. One television for C SPAN
\$1000

Tech subtotals:
\$25,764.80

7. Google Driverless Car Report
add

\$15,000

8. **ADD \$80,000 to Managed Care Forums: additional forums in regions and meetings in states**

The contractor is Ellen Piekalkiewicz. Julie is monitoring this contract.

And state associations (NCSL) and CSG, and

others.... Add: \$80,000

Conduct 3-6 additional regional focus groups with Disability Leadership Stakeholders on Medicaid managed care and disability related issues to the NCD strategic plan in regions

9. **EEI** Editing services mentioned by Anne
Sommers

\$15,000

**Sub
total:**

\$135,076.80

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Version: 2012.0.2242 / Virus Database: 3222/6162 - Release Date: 09/13/13

RE: Capitol Plaza Hotel

Mary Shaw <mary.shaw@jqh.com>

Tue 9/24/2013 11:04 AM

To: Sylvia Jones <sjones@ncd.gov>;

Cc: Chanda Bethea <cbethea@ncd.gov>; 'Heather Chilgren' <heather.chilgren@jqh.com>;

1 attachment

National Council on Disability.docx;

Hello Sylvia,
Here is the revised contract.

Mary Shaw

Mary Shaw

Sales Manager

Capitol Plaza Hotel - Topeka

Hotel number (785) 431-7200

Direct number (785) 431-4732

Fax (785) 235-0194



Capitol Plaza Hotel

From: Sylvia Jones [mailto:sjones@ncd.gov]
Sent: Tuesday, September 24, 2013 9:56 AM
To: Mary Shaw
Cc: Chanda Bethea; 'Heather Chilgren'
Subject: RE: Capitol Plaza Hotel

Hi Mary,

Please give me a quick call regarding corrections.

Thank you,
Sylvia

From: Mary Shaw <mary.shaw@jgh.com>
Sent: Tuesday, September 24, 2013 10:51 AM
To: Sylvia Jones
Cc: Chanda Bethea; 'Heather Chilgren'
Subject: RE: Capitol Plaza Hotel

Hello Sylvia,

Here is the credit authorization and the contract.

Thank you,

Mary Shaw

Mary Shaw

Sales Manager

Capitol Plaza Hotel - Topeka

Hotel number (785) 431-7200

Direct number (785) 431-4732

Fax (785) 235-0194



Capitol Plaza Hotel

From: Sylvia Jones [<mailto:sjones@ncd.gov>]
Sent: Tuesday, September 24, 2013 9:46 AM
To: Mary Shaw
Cc: Chanda Bethea; 'Heather Chilgren'
Subject: RE: Capitol Plaza Hotel

Hi Mary,

The number of rooms and total rate has been confirmed. Please send over the contract and credit card authorization form.

Thank you,
Sylvia

From: Mary Shaw <mary.shaw@jgh.com>
Sent: Tuesday, September 24, 2013 10:20 AM
To: Sylvia Jones
Cc: Chanda Bethea; 'Heather Chilgren'
Subject: RE: Capitol Plaza Hotel

Wonderful, thank you very much.

Mary Shaw

Mary Shaw

Sales Manager

Capitol Plaza Hotel - Topeka

Hotel number (785) 431-7200

Direct number (785) 431-4732

Fax (785) 235-0194



Capitol Plaza Hotel

From: Sylvia Jones [mailto:sjones@ncd.gov]
Sent: Tuesday, September 24, 2013 9:17 AM
To: Mary Shaw
Cc: Chanda Bethea; 'Heather Chilgren'
Subject: RE: Capitol Plaza Hotel

Hi Mary,

I have Chanda confirming the number of rooms and the total rate. I will get back to you shortly.

Thank you,
Sylvia

From: Mary Shaw <mary.shaw@jgh.com>
Sent: Tuesday, September 24, 2013 10:06 AM
To: Sylvia Jones
Cc: Chanda Bethea; 'Heather Chilgren'
Subject: RE: Capitol Plaza Hotel

Sorry, I had a typo on the total amount.

\$3652.00

44 room nights at 83.00

44 x 83 = 3652.00

Mary Shaw

Mary Shaw

Sales Manager

Capitol Plaza Hotel - Topeka

Hotel number (785) 431-7200

Direct number (785) 431-4732

Fax (785) 235-0194



Capitol Plaza Hotel

From: Mary Shaw [mailto:mary.shaw@iqh.com]

Sent: Tuesday, September 24, 2013 9:05 AM

To: 'Sylvia Jones'

Cc: 'Chanda Bethea'; 'Heather Chilgren'

Subject: RE: Capitol Plaza Hotel

Hello Sylvia,

Thank you for the list. I will have my Group Room Coordinator, Heather send back the confirmation numbers to you shortly.

Here is the Credit Authorization Form and another copy of the contract.

Total amount, that is 44 room nights at 83.00 = 43652.00

Please let me know if you have any questions. If all looks correct please complete the credit card form and sign the contract. It can be sent back via email.

Mary Shaw

Mary Shaw

Sales Manager

Capitol Plaza Hotel - Topeka

Hotel number (785) 431-7200

Direct number (785) 431-4732

Fax (785) 235-0194



Capitol Plaza Hotel

From: Sylvia Jones [mailto:sjones@ncd.gov]
Sent: Tuesday, September 24, 2013 8:08 AM
To: Mary Shaw
Cc: Chanda Bethea
Subject: RE: Capitol Plaza Hotel

Hi Mary,

Attached is the NCD group rooming list. Please confirm receipt and let me know if you have any questions.

Thank you,
Sylvia

From: Mary Shaw <mary.shaw@iqh.com>
Sent: Monday, September 23, 2013 3:09 PM
To: Sylvia Jones
Subject: Capitol Plaza Hotel

Here is my info

Mary Shaw

Mary Shaw

Sales Manager

Capitol Plaza Hotel - Topeka

Hotel number (785) 431-7200

Direct number (785) 431-4732

Fax (785) 235-0194



Capitol Plaza Hotel

RE: DIRECT ORDER: RESPOND TO GARY BY 9/26

Sylvia Jones <sjones@ncd.gov>

Tue 9/24/2013 3:26 PM

To: Jeff Rosen <jrosen@ncd.gov>;

Cc: Rebecca Cokley <rcokley@ncd.gov>; Sylvia Jones <sjones@ncd.gov>;

Jeff,

This email is a clear indication of harassment and this is my final request for you to cease and desist sending any further communications to me on contracts, modifications, cooperative agreements, budget and finance, etc.

The matter for which you are issuing me an unlawful direct order was addressed when I responded to Gary Blumenthal via his government email at 10:30 a.m. today, September 24, 2013.

As mentioned earlier...pursuant to NCD Authorizing Statutue and the NCD Bylaws, the NCD Chair is not authorized to supervise office staff; nor is the NCD Chair responsible for managing the day to day operations of the office. Per the statutue and the bylaws, the chairperson is responsible for the appointment, supervision, and at his/her discretion, **removal** of the Executive Director. You are not my supervisor and by law you are not authorized to give me a direct order therefore I again request that you cease and desist from sending me harrassing email communications as it is affecting my disabilities and if it continues I will be contacting the Federal Protective Service (FPS) for intimidation tactics and bullying in the workplace.

If you have any questions in the absence of the NCD General Counsel please contact GSA.

Sylvia

From: Jeff Rosen

Sent: Tuesday, September 24, 2013 1:50 PM

To: Sylvia Jones

Cc: Rebecca Cokley

Subject: DIRECT ORDER: RESPOND TO GARY BY 9/26

Sylvia,

I regret that I must again resort to giving you a direct order. Failure to follow this order can result in disciplinary action.

You are to contact Mr. Blumenthal by COB September 26, 2013 and provide him with information on how the administrative support for the NCD meeting in Kansas scheduled for October is to be funded. You are to provide him all the timely assistance he requires to arrange for this support.

-Jeff

From: sjones@ncd.gov
To: rcokley@ncd.gov
CC: sjones@ncd.gov
Subject: FW: Ms. Bethea's Furlough Pay
Date: Thu, 14 Nov 2013 13:55:08 +0000

Rebecca,

On October 31, 2013 I sent you an email requesting furlough back pay for Ms. Bethea. On November 1, 2013 at 10:45 a.m. you responded that "I will look into this and get back to you next week."

It has been approximately 13 days and I have not heard back from you on this matter. Please advise...

Sylvia

From: Rebecca Cokley
Sent: Friday, November 01, 2013 10:45 AM
To: Sylvia Jones
Cc: Stacey Brown
Subject: RE: Ms. Bethea's Furlough Pay

Ms. Jones,

I will look into this and get back to you next week.

Rebecca

From: Sylvia Jones
Sent: Thursday, October 31, 2013 3:52 PM
To: Rebecca Cokley
Cc: Sylvia Jones; Stacey Brown
Subject: Ms. Bethea's Furlough Pay

Rebecca,

Ms. Bethea did not receive back pay for days furloughed due to her not having a full-time base schedule in ETAMS from October 2-16. If the government had not shut down, Ms. Bethea would have been at work and paid for 80 hours.



Stacey followed up with GSA payroll and was advised that Ms. Bethea can receive furlough pay if approved by the agency. As Ms. Bethea's supervisor I think it's the right thing to do and recommend that she be paid for 80 hours from October 2-16.

Please advise...

Sylvia

(b) (5)

From: Sylvia Meniffee
Sent: Monday, September 16, 2013 8:10 AM
To: Rebecca Cokley
Cc: Jeff Rosen; Sylvia Meniffee
Subject: RE: application to become a leave recipient

Rebecca,

I'm in receipt of your email and I find it to be condescending and discourteous and I'm almost certain that you do not speak to my peers in the manner in which you speak to me. If you need me to do something you can ask me respectfully without attempting to belittle me. I deserve the same respect in the workplace as my peers and I request that your condescending emails to me cease immediately as your tone towards me is offensive, promotes a hostile work environment and is causing unnecessary stress that is affecting my disabilities.

I'm copying Jeff to this email as he stated last week "we will decisively address any conduct issues by agency personnel." As I've stated before I desire to work in a peaceful work environment.

Thank you,

Sylvia

From: Rebecca Cokley
Sent: Friday, September 13, 2013 5:06:17 PM
To: Sylvia Meniffee
Subject: RE: application to become a leave recipient

Sylvia,

While I understand why you might be confused, it is obvious from reading the entire page and putting everything in context that use of one's accrued leave is necessary before one can use donated leave but that one can have a balance of available donated leave to use once they have exhausted their own leave. For this to occur that person must have had leave transferred to them. Here is the relevant portion of 5 CFR for your reference.

630.909 Use of transferred annual leave.

(a) A leave recipient may use annual leave transferred to his or her annual leave account under § 630.906 only for the purpose of a medical emergency for which the leave recipient was approved.

(b) Except as provided in § 630.907, during each biweekly pay period that a leave recipient is affected by a medical emergency, he or she shall use any accrued annual leave (and sick leave, if applicable) before using transferred annual leave.

This has also been confirmed with Mr. Brad Klietherems, in GSA whom I believe you have dealt with on several occasions.

Therefore, I again direct you to process my application for the leave transfer program by COB 9/16/13.

Thank you.

Rebecca Cokley
Executive Director
National Council on Disability
1331 F Street NW, Suite 850
Washington, DC 20004
202-272-2124 Voice
202-272-2074 TTY
202-272-2022 Fax
Rcokley@ncd.gov<mailto:Rcokley@ncd.gov>
Website: <http://www.ncd.gov><<http://www.ncd.gov>>

From: Sylvia Meniffee
Sent: Thursday, September 12, 2013 1:13 PM
To: Rebecca Cokley
Cc: Sylvia Meniffee
Subject: RE: application to become a leave recipient

Rebecca,

The information that I sent to you earlier today came from the same OPM website. It appears that you are not reading all the information on the VLTP which specifically states:

Under the Voluntary Leave Transfer Program (VLTP), a covered employee may donate annual leave directly to another employee who has a personal or family medical emergency and who has exhausted his or her available paid leave.

As per my earlier email, you do qualify to become a leave recipient under the voluntary leave transfer program therefore I cannot process your request.

I recommend that you read the entire policy: <http://www.opm.gov/policy-data-oversight/pay-leave/leave-administration/fact-sheets/voluntary-leave-transfer-program/>

Sylvia

From: Rebecca Cokley
Sent: Thursday, September 12, 2013 12:03 PM
To: Sylvia Meniffee
Subject: RE: application to become a leave recipient

Sylvia,

The following is from the OPM website on leave transfer
<http://www.opm.gov/policy-data-oversight/pay-leave/leave-administration/fact-sheets/voluntary-leave-transfer-program/>

Definitions

Medical Emergency:

A medical emergency is a medical condition of either the employee or the employee's family member (see below) that is likely to require the employee to be absent from duty for a prolonged period and to result in a substantial loss of income because of the employee's lack of available paid leave.

Note: The threshold for "a substantial loss of income" is absence (or expected absence) from duty without available paid leave for at least 24 work hours for a full-time employee. (See Approval or Disapproval of Application to Become a Leave Recipient)

A potential leave recipient's employing agency must determine that a full-time employee's absence from duty without available paid leave because of the medical emergency is (or is expected to be) at least 24 work hours, which may be consecutive or intermittent. For a part-time employee or an employee on an uncommon tour of duty, the period of absence without paid leave is prorated. This period of unpaid absence qualifies as a substantial loss of income for purposes of the medical emergency determination.

Use of Donated Annual Leave

A leave recipient may use donated annual leave only for purposes related to the medical emergency for which the leave recipient was approved. Except for leave in set-aside accounts (described below), a leave recipient must use any accrued annual leave (and sick leave, if applicable) before using transferred annual leave.

Based on the above you are mistaken in:

- A. determining that my pregnancy does not meet the definition of medical emergency.
- B. stating that I have to use all my leave before I apply for the program. (I understand that I must use all available leave before I can use any transferred leave.)

Please process my request or show me in writing where I have misinterpreted OPM guidance. Please understand that, because of my position, I will not accept any leave donated from employees of this agency.

Rebecca Cokley
Executive Director
National Council on Disability
1331 F Street NW, Suite 850
Washington, DC 20004
[202-272-2124](tel:202-272-2124) Voice
[202-272-2074](tel:202-272-2074) TTY
[202-272-2022](tel:202-272-2022) Fax
Rcokley@ncd.gov<mailto:Rcokley@ncd.gov>
Website: <http://www.ncd.gov><<http://www.ncd.gov>>

From: Sylvia Meniffee
Sent: Thursday, September 12, 2013 10:12 AM
To: Rebecca Cokley
Cc: Sylvia Meniffee
Subject: RE: application to become a leave recipient

Rebecca,

You do not qualify to become a leave recipient under the voluntary leave transfer program.

Under the Voluntary Leave Transfer Program (VLTP), a covered employee may donate annual leave directly to another employee who has a personal or family medical emergency and who has exhausted his or her available paid leave.

You have not exhausted all your available paid leave. You currently have 114 hours of annual leave and 7.5 hours of sick leave that must be exhausted before you can qualify to become a recipient; in addition to having either a 1) personal medical emergency or a 2) family medical emergency.

Enjoy your day,
Sylvia

From: Rebecca Cokley
Sent: Wednesday, September 11, 2013 10:03 AM
To: Sylvia Meniffee
Cc: Jeff Rosen; Lynnae Ruttledge
Subject: application to become a leave recipient

Ms. Meniffee

Attached is my signed application to become a leave recipient under the voluntary leave transfer program. Please process the agreement by COB 9/12/13 or provide me with specific reasons why it cannot be legally processed.

Rebecca Cokley
Executive Director
National Council on Disability
1331 F Street NW, Suite 850
Washington, DC 20004
202-272-2124 Voice

202-272-2074 TTY

202-272-2022 Fax

Rcokley@ncd.gov<mailto:Rcokley@ncd.gov>

Website: <http://www.ncd.gov><<http://www.ncd.gov>>

No virus found in this message.

Checked by AVG - www.avg.com<<http://www.avg.com>>

Version: 2012.0.2242 / Virus Database: 3222/6159 - Release Date: 09/12/13

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Checked by AVG - www.avg.com<<http://www.avg.com>>

Version: 2012.0.2242 / Virus Database: 3222/6159 - Release Date: 09/12/13

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2012.0.2242 / Virus Database: 3222/6170 - Release Date: 09/16/13

--

Dave Allen

Employee Relations Specialist

301 7th Street SW

Room 1619

Washington, DC 20407

David.Allen@GSA.gov

202-690-9475

FAX 202-205-2546 (Please call or email if faxing so that I can retrieve it)

(b) (5)

From: Sylvia Jones
Sent: Monday, September 23, 2013 3:57 PM
To: Jeff Rosen
Cc: Sylvia Jones; Gary Blumenthal; Rebecca Cokley
Subject: FW: NCD FY 13 Purchases

Jeff,

Pursuant to NCD Authorizing Statutue and the NCD Bylaws, the NCD Chair is not authorized to supervise office staff; nor is the NCD Chair responsible for managing the day to day operations of the office. Per the statutue and the bylaws, the chairperson is responsible for the appointment, supervision, and at his/her discretion, **removal** of the Executive Director.

As a result, I find your continous emails to be harrassing and retailatory in nature and the distractions and interruptions are impeding my workload.

Ms. Cokley issued me a direct order regarding these issues on June 28, 2013 and I complied with her direct order. Therefore I request that you cease and desist issuing any further communication due to the nature of the request as it pertains to a direct order issued to me by my supervisor.

Your threats are unwarranted and unlawful as you are acting outside the scope of your duties. If you have any questions in the absence of the NCD General Counsel, please consult with GSA. Also, please note that these unlawful threats against me have been forwarded to the appropriate government officials.

-Sylvia

From: Jeff Rosen
Sent: Thursday, September 19, 2013 10:02 AM
To: Sylvia Jones; Gary Blumenthal
Cc: Rebecca Cokley

Subject: RE: NCD FY 13 Purchases

Sylvia,

In Rebecca's absence I am giving you a direct order. Failure to follow this order can lead to disciplinary action up to and including removal.

You are directed to add \$80,000 to the cooperative agreement for managed care forums as directed by the executive committee (Item # 8 of their request), or to provide me with the written law, rule or regulation that prevents you from doing so by COB 9-23-13.

-Jeff

From: Sylvia Jones

Sent: Thursday, September 19, 2013 9:30 AM

To: Gary Blumenthal

Cc: Jeff Rosen; Rebecca Cokley; Sylvia Jones

Subject: RE: NCD FY 13 Purchases

Gary,

Our telephonic conversation concerning technology purchases is totally different than your email to me on yesterday. Per our conversation on Tuesday, you stated "that the technology purchases were not wise." It now appears that your position has drastically changed. Nonetheless please note the following:

The following purchases will be made via credit card today:

8 monitors

1 small TV

Also note:

- OMB memorandum applies to all agencies to include micro agencies, which I advised all in the past.
- Regarding the Manage Care Forum - per directive from Rebecca, I channeled my complaint concerning these matters to the appropriate authorities therefore I recuse myself from this matter.
- Briefing the A&F Committee on the SOF, spending requests, etc., has always been the responsibility of the ED.

In closing, I would like to note that the "big bolded red letters" was condescending and humiliating as it gave an impression that you were talking down to me. During my tenure at NCD, you have never spoken to me in such a manner, which leads me to believe you're upset with me because I choose not to look the other way concerning issues in the office. You state that you want to work with me to help our agency run smoothly; as you know, I work extremely hard here and I'm willing to do anything for the agency as long as it's legal and ethical.

Respectfully,

Sylvia Jones

Director of Administration

National Council on Disability

[202-272-2113](tel:202-272-2113)

"To give real service you must add something which cannot be bought or measured with money, and that is sincerity and integrity." - Douglas Adams

From: Gary Blumenthal <garyblumenthal@addp.org>

Sent: Thursday, September 19, 2013 8:44 AM

To: Gary Blumenthal; Sylvia Jones
Cc: Jeff Rosen; Rebecca Cokley
Subject: RE: NCD FY 13 Purchases

Sylvia,

Please let me know when I can receive answers to my questions **(in Red Below)** today so that I may advise the Executive Board of progress being made in this area. Also I wanted to clarify that in the original notice of the meeting that I sent out the Agenda was attached noting SOF and spending requests.

Gary

From: Gary Blumenthal [mailto:garyblumenthal@addp.org]
Sent: Wednesday, September 18, 2013 4:31 PM
To: 'Sylvia Jones'
Cc: 'Jeff Rosen'; 'Rebecca Cokley'
Subject: RE: NCD FY 13 Purchases

Sylvia,

Please further clarify my notes in Red below:

Gary

From: Sylvia Jones [mailto:sjones@ncd.gov]
Sent: Wednesday, September 18, 2013 3:20 PM
To: Gary Blumenthal
Cc: Jeff Rosen; Rebecca Cokley; Sylvia Jones
Subject: RE: NCD FY 13 Purchases

Gary,

Leading up to A&F meeting this morning, you and I had several conversations regarding the recommended purchases for FY 2013 and prior to the end of our call on yesterday I explained to you the difficulty in acquiring the purchases so late in the fiscal year. I say this because I was blindsided this morning... first with a request to brief the committee on the SOF and then to provide an update on the purchases, which is the responsibility of the ED. As I stated to you on Friday, last year there was three of us closing out the budget, Aaron, Carla and myself. This year I have no Carla, no help from the ED and my workload is heavy. There are a lot of pieces to closing out a budget and I just hope that I can get everything done that needs to be done timely.

Per your request...below is an update on the purchase request:

1.Immediate replacement of 10 computers:

Response: the price received for the units was a quote only. Due to contractual requirements we are unable to acquire these systems.

****Additionally,** per OMB Memorandum M-11-11 dated February 3, 2011 agencies were directed to develop and issue an implementation policy as of March 31, 2011 requiring the use of the Personal Identity Verification (PIV) credentials as the common means of authentication for access to the agency's facilities, networks, and information systems. Also, effective the beginning of FY2012, procurement for services and products involving facilities and system access must be in accordance with HSPD-12 Policy and the Federal Acquisition Regulation (FAR).

We have the current dollars in FY 13, we may need dollars for other usage in FY 14; what is the penalty or not being in accordance with the 3/31/11 PIV credential noting that we are a very small agency for which we this may not necessarily have been designed for in its design.

NCD is currently non-compliant to this policy therefore I strongly recommend that funding be approved to purchase appropriate equipment for staff in the upcoming FY.

2. Replace 8 monitor at \$195.....through GSA vendors $195 \times 8 \text{ units} = \1560.00

Response: Nick failed to identify vendors for this purchase therefore we cannot make a purchase. Also, is there a need for 8 monitor's if we are not purchasing computers? To my knowledge only 3 monitors may be needed for dual-monitor purposes. **Nick identified Dell directly for this with credit card purchase initially, you suggested GSA. Why can we not purchase order today or credit card directly with Dell.com**

3. Printers

Response: All specs provided by Nick for the printers were outdated with the exception of one, though there was a slight price difference. Nonetheless, we were able to find compatible printers at Staples for a total price of \$2,271.33 which Stacey can purchase with the credit card upon your approval. **Thank you for facilitating this purchase today.**

4. Video Conferencing Citrix Go To Meeting \$39 x 4 meeting organizers \$2000

Response: This appears to be a typo. \$39 times 4 is \$156 not \$2000. Upon receiving clarification on this item I will look further into it and get back to you. **I look forward to your response.**

5. Video Editing for Lawrence Unique PC & accessories \$3000 range

Details:

Response: Per conversation with Lawrence he requires PhotoShop training. In addition, please note that Nick did not identify specific equipment, model numbers and/or item numbers for the purchases. Per the request...column 4, it appears that these items may be potential purchase for FY14 and FY15.

6. One television for C-SPAN -

Response: This is not a cost effective purchase. The agency currently has a rarely used TV in the conference room that can be transferred to the ED's office which will save the agency and tax payer's a \$1000. **This is a purchase decision authorized by the E Board who has made the judgement call on this. The cost of a small new model TV will be substantially less than \$1000. Please execute this today via Credit Card. This is a judgement call by the Executive Committee, you may not agree, but this is a directive from the E Board on behalf of the Council.**

7. Google Driverless Car Report -

Response: Contractual Issue

8. Manage Care Forums:

Response: Per earlier conversations, please note that is **not** a contract but instead a cooperative agreement. **Please add to this cooperative agreement as directed by the E Board. What is the reason for not adding to a cooperative agreement?**

I want to work with you to help our agency run smoothly. Please respond ASAP.

Please let me know if you have any questions.

Thank you,
Sylvia

From: Gary Blumenthal <garyblumenthal@addp.org>
Sent: Friday, September 13, 2013 1:01 PM
To: Sylvia Meniffee
Cc: Jeff Rosen; Rebecca Cokley
Subject: FW: NCD FY 13 Purchases

Sylvia,

I understand the difficult pressure you will be under to get this done today to meet the deadline. To the best of my knowledge this is a partial list of expenditures that the Executive Committee, Jeff and Becca have signed off on. I do believe there may be some additional expenditures from current FY 13 dollars that Jeff and Becca wish to make however I've not been able to get ahold of them today for confirmation. I am cc-ing Jeff and Becca on this email in the hope that they'll see it and respond asap.

Thank you.

Gary

1. Immediate replacement of 10 computers.....per unit cost: 1600 x 10 units = \$16,000
Vendor: Advance Computer Concept recommended by Sylvia, better cost than Nick's recommendation

2. Replace 8 monitor at \$195.....through GSA vendors 195 x 8 units = \$1560.00

3. Printers

	\$210.96 each	
4x HP P1606 DN	\$843.84	
HP Laserjet Pro 400 BW Printer	\$285.40	
extra paper tray		\$117.96
HP Laserjet Pro 400 Color		\$481
HP 500		\$762

4. Video Conferencing Citrix Go To Meeting \$39 x 4 meeting organizers \$2000

5. Video Editing for Lawrence
range

Unique PC & accessories

\$3000

Details:

NCD IMPROVEMENT OPPORTUNITY	Inclusive photos for use on the website, publications, and infographics (photos are paid for per download and prices vary but many are \$20/each for websites)	PhotoAbility.com	FY14, FY15 - PhotoAbility.com	\$300.00
NCD IMPROVEMENT OPPORTUNITY	HD Digital Camera for film , consistent with Jeff and other Council Members' and the ED's vision for expanding our video presence; purchasing for in-house use gives us creative control over look/feel and content	Samsung.com	One-time purchase	\$499.99
NCD IMPROVEMENT OPPORTUNITY	Sync Words Video Captioning Service (50-100 hours annual package, plus gov't discount)	SyncWords.com	FY14, FY15 - Sync Words	\$139.00
NCD IMPROVEMENT OPPORTUNITY	Audio production kit (podcast studio) to pursue adding brief podcast summaries of our reports to each report landing page going forward	Behringer.com	One-time purchase	\$145.00
NCD IMPROVEMENT OPPORTUNITY	Adobe PhotoShop for use in design of infographics, homepage slides, simple covers for in-	Adobe.com	One-time purchase	

	house reports, etc. (\$650/computer)			\$1,300.00
NCD IMPROVEMENT OPPORTUNITY	Training -- GPO Photoshop training	The Institute at GPO (Government Printing Office)	One-time purchase	\$475.00

6. One television for C SPAN

\$1000

Tech subtotals:

\$25,764.80

**7. Google Driverless Car Report
add**

\$15,000

8. ADD \$80,000 to Managed Care Forums: additional forums in regions and meetings in states

The contractor is Ellen Piekalkiewicz. Julie is monitoring this contract.

And state associations (NCSL) and CSG, and others.... Add:

\$80,000

Conduct 3-6 additional regional focus groups with Disability Leadership Stakeholders on Medicaid managed care and disability related issues to the NCD strategic plan in regions

9. EEI Editing services mentioned by Anne
Sommers

\$15,000

Sub total:

\$135,076.80

No virus found in this message.

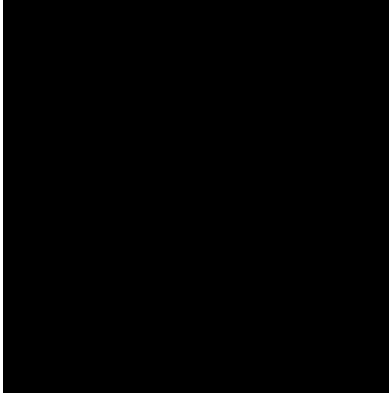
Checked by AVG - www.avg.com

Version: 2012.0.2242 / Virus Database: 3222/6162 - Release Date: 09/13/13

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Lisa Gilmore
Human Resources Specialist (Employee Relations)
Washington Area Operations Center
Employee Relations Branch-CPWA
301 7th Street, S.W., Room 1022
Washington, DC 20407
202-205-4929 Desk
202-(b) (6) Mobile Phone

202-708-5377 fax



https://docs.google.com/a/gsa.gov/forms/d/1nhjCN6rnQLHds76fKF2MsLyLHchZpKL7e_LIZjNJlr0/viewfor

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [NCD-Board-Members](#)
Date: 9/27/2013 3:49:40 PM
Subject: Realignment of NCD staff

Council members -

To address significant issues with the financial management of NCD, the Executive Committee unanimously approved earlier this week Rebecca and my recommendation to realign two financial support positions (Financial Analyst and Administrative Specialist) from Sylvia to report directly to Rebecca. Sylvia will continue with her current duties and Council should continue to engage with her about any financial issues. When filled upon Rebecca's return from maternity leave, the two financial personnel will support Sylvia while reporting directly to Rebecca. This action was taken to allow for greater oversight of NCD's financial management functions.

Please contact Gary, Rebecca or I with any questions.

-Jeff

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [Lynnae Ruttledge](#)
Date: 10/25/2013 9:17:48 AM
Subject: Re: Looking at Nov 1?

That approach works, thanks Lynnae. I am available on the 1st.

Jeff

> On Oct 25, 2013, at 9:15 AM, "Lynnae Ruttledge" <lruttledge@ncd.gov> wrote:

>

> Although it seemed like the prudent approach to schedule the special session of the full Council with sufficient lead time to comply with the week's notice in the Federal Register, the escalation of issues and the rightful concerns of Council members has heightened the need for a meeting as soon as possible. I just heard that Ari will be in Brussels the week of Nov 4-8. We cannot possibly wait until he returns to conduct our briefing with the Council.

>

> Given the escalation of the personnel concerns (with the most recent email from (b) (6) Sylvia's inference of fraud in internal operations), I recommend that we declare an emergency, do the public notice and schedule the meeting for next Friday, Nov 1. Anne has drafted a notice template; we can work with her and Rebecca to get it posted. We can check in with Brenda at GSA to review the notice before it is sent to the Federal Register and continue to work with her and Lisa next week on the meeting format.

>

> Jeff - how does that sound to you?

>

> Janni, Kamilah, Jeff: can you be available next Friday, Nov 1?

>

> Rebecca: do you know of any conflicts that may preclude others from attending?

>

> Lynnae

Non-Responsive

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:Jeff.Rosen@ncd.gov)
To: [Kamilah Martin-Proctor](#)
[Stephanie Orlando](#)
[Clyde Terry](#)
[Clyde Terry](#)
[Lynnae Rutledge](#)
[Gary Blumenthal](#)
garyblumenthal@addp.org
Date: 10/21/2013 12:53:22 AM
Subject: FW: Urgent for NCD's Executive Committee: Workplace

From: Jeff Rosen
Sent: Monday, October 21, 2013 12:52 AM
To: DrGerrie Hawkins; Rebecca Cokley
Subject: RE: Urgent for NCD's Executive Committee: Workplace

Gerrie -

Thank you for writing about workplace concerns. I have forwarded your email to NCD's Executive Committee.

The Executive Committee recognizes the seriousness and urgency of NCD workplace issues and has made that part of its agenda when it meets this Wednesday. We will also be joined by GSA's HR to support our discussion.

NCD's staff is very much valued and we look to those actions to provide them the workplace that they need and deserve.

-Jeff

From: DrGerrie Hawkins
Sent: Sunday, October 20, 2013 10:49 PM
To: Jeff Rosen; Rebecca Cokley
Subject: Urgent for NCD's Executive Committee: Workplace

Good day!

The purpose of this October 21, 2013 email is to call your attention to the urgency of addressing the deteriorating conditions in the DC workplace (Suite 850). Such conditions are unfavorable to effective and efficient task performance and have taken a toll on carrying out the agency's mandated focus on national disability policy. In some cases, the toll is personal—policy and legislative work is being completed in the wee hours of the morning, late night, weekends, even while on sick leave, and so forth rather than during the day in the DC workplace. There the environment fails to support staff needs--such as confidence in having a sense of relative security, and displaying civility and mutual respect. Hopefully, the potential negative impact of the workplace conditions on the agency's policy and legislative work is of interest beyond the staff level—and I believe there is interest. Professional intervention might be needed, as business "as usual" has become totally unacceptable.

A workplace characterized by disregard for critical civil communication, collaborative and open cross team work is a grave disservice to the disability community and members of the general public we are employed to serve. My overall hope is that while certain Council actions necessarily require following steps and protocol, given some devastating historical factors, the severe difficulty of staff being asked again to endure deplorable behaviors and/or the results of unresolved individual issues will not result in unexpected agency vacancies.

These concerns are real and shared to give council members at least a sense of the urgency involved. From my perspective, we definitely need to get back to being able to focus daily on national disability policy.

Thank you for the consideration and anticipated Council follow-up.

cc: NCD Staff

Dr. Gerrie-Drake Hawkins (Ph.D.), Senior Policy Analyst (202)-272-2116 (voice); 272-2074 (TTY)
National Council on Disability, Washington, DC www.ncd.gov; <http://www.facebook.com/NCDgov>

(b) (5)

From: James Heelan <jheelan@shawbransford.com>

Sent: Tuesday, November 05, 2013 5:16 PM

To: Jeff Rosen

Cc: lisa.gilmore@gsa.gov; Julie Perkins

Subject: Sylvia Jones - Entry of Appearance

Mr. Rosen,

Please see the attached entry of appearance, which we submit to you on behalf of Mrs. Sylvia Jones. A hard copy will follow to you via FedEx overnight delivery.

Sincerely,

James P. Garay Heelan

James P. Garay Heelan
Associate Attorney

Shaw Bransford & Roth P.C. | Attorneys at Law
1100 Connecticut Avenue, NW, Suite 900
Washington, DC 20036
Phone: (202) 463-8400 Ext. 316 | Fax: (202) 833-8082
www.shawbransford.com | jheelan@shawbransford.com



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SHAW BRANSFORD & ROTH P.C.
Attorneys at Law
1100 Connecticut Avenue NW Suite 900
Washington DC 20036
Tel 202.463.8400 www.shawbransford.com Fax 202.833.8082

November 5, 2013

SENT VIA ELECTRONIC MAIL AND FEDERAL EXPRESS

Mr. Jeff Rosen
Chairperson
National Council on Disability
1331 F Street, NW, Suite 850
Washington, D.C. 20004
jrosen@ncd.gov

Re: Sylvia Jones – Notice of Proposal to Suspend

Dear Mr. Rosen:

This law firm has become the designated representative of Mrs. Sylvia Jones, Director of Administration, National Council on Disability ("Agency"), in regard to the Notice of Proposal to Suspend dated November 1, 2013 ("Proposal"), received by Mrs. Jones via e-mail that same day. A designation of representative form, executed by Mrs. Jones, authorizing us to act on her behalf, is enclosed.

The purposes of this letter are to: (1) notify you of our designation; (2) request an extension of time for Mrs. Jones to present to you an oral reply to the Proposal, until after the deadline for her written reply; (4) request copies of the Agency's disciplinary procedures and a copy of the Agency's table of penalties; and (5) request complete and un-redacted copies of all of the materials the Agency relied upon to issue the Proposal.

We intend to submit a written reply to the Proposal on behalf of Mrs. Jones. The third page of the Proposal states that Mrs. Jones "will be allowed fifteen (15) calendar days from the date of [her] receipt of [the Proposal] to reply orally and/or in writing." Thus, because Mrs. Jones received the Proposal on Friday, November 1, 2013, we calculate the current deadline for Mrs. Jones to submit her written and oral replies to the Proposal to be Monday, November 18, 2013 (because November 16, 2013, the fifteenth day after Mrs. Meniffee-Jones received the Proposal, is a Saturday). We ask that you confirm this November 18, 2013 submission deadline.

Also, please be advised, Mrs. Jones may present an oral reply to the Proposal. We believe that an oral reply is more substantive and of greater benefit to a deciding official when the oral reply takes place after submission of the written reply. Therefore, we request that you permit Mrs. Jones to present her oral reply to the Proposal on a date after the deadline for submission of

her written reply. Should she decide to present an oral reply, we will be contacting you to make arrangements for a date that is convenient for you.

We also write to request copies of the Agency's disciplinary procedures, i.e. the procedures under which the Agency issued the Proposal to Mrs. Jones, and to request a copy of the Agency's table of penalties.

Lastly, we write to request complete and un-redacted copies of all of the materials the Agency relied upon to issue the Proposal. In addition the Proposal, Mrs. Jones received seventeen (17) pages of documentation (copy enclosed for your reference), identified on the fourth page of the Proposal as "Copy of Supporting Documentation (employee)," comprising documentation of various e-mail exchanges. However, the copies of the e-mail exchanges provided to Mrs. Jones appear incomplete and/or redacted. A non-exhaustive list of abnormalities, redactions, and other indicators which suggest that the supporting documentation provided to Mrs. Jones is incomplete, includes:

1. The e-mail on the third page of the supporting documentation, dated September 25, 2013 at 11:01 a.m., does not indicate a subject line, unlike the other e-mails provided as part of the supporting documentation;
2. The e-mails on the third and fourth pages of the supporting documentation, dated September 25, 2013, at 11:01 a.m. and at 12:58 p.m., are identified as "4/7" and "6/7", respectively; however, none of the provided e-mails are identified as any other number of a series of seven;
3. The header of the e-mail on the fourth page of the supporting documentation, dated September 25, 2013, at 12:58 p.m., is at a different angle than the body of the e-mail below it;
4. The e-mail on the seventh page of the supporting documentation, dated September 24, 2013, at 7:54 a.m., appears composed of lines of text cut from a lengthier e-mail, and pasted together;
5. The bottoms of the eighth, ninth, and tenth pages of the supporting documentation are identified as "1/4," "3/4," and "4/4" respectively, but none of the provided e-mails are identified as the second in a series of four;
6. The e-mails on the eighth, ninth, and tenth pages of the supporting documentation appear to be presented as part of the same e-mail chain, flowing from the e-mail at the top of the eighth page, dated September 23, 2013, at 3:20 p.m., but the time stamps on the e-mails in that purported chain do not flow linearly. For example, on the eighth page, an e-mail dated September 24, 2013, at 8:01 a.m. is below an e-mail dated September 23, 2013, at 3:20 p.m., but above another e-mail dated September 23, 2013, at 3:20 p.m. And, on the ninth page, an e-mail dated September 24, 2013, at 8:58 a.m., is sandwiched between an e-mail dated that same day at 8:06 a.m. and another e-mail dated that same day at 8:39 a.m.;
7. Multiple e-mails, for example e-mails located on the ninth and tenth pages of the supporting documentation, dated September 24, 2013, at 8:06 a.m. and at 8:01 a.m., contain "[Quoted text hidden]" in lieu of body text;

Mr. Jeff Rosen
National Council on Disability
November 5, 2013
Page 3

8. The bottoms of the eleventh, twelfth, and thirteenth pages of the supporting documentation are identified as "1/9," "2/9," and "4/9," respectively. But, no other pages have been provided which indicate that they are any other part of a series of nine; and
9. The e-mail on the seventeenth page of the supporting documentation, apparently from William Haygood, does not contain "Date," "From," or "Subject" lines of information. Further, it appears that a sentence in the middle section of the second paragraph of that e-mail has been redacted.

Mrs. Jones will not be able to provide a thorough and substantive response, and we do not believe you will be able to make a fully informed decision, without complete and un-redacted copies of the materials on which the Agency relied to issue the Proposal.

Thank you for your consideration of our requests.

Sincerely,



Julia H. Perkins
James P. Garay Heelan

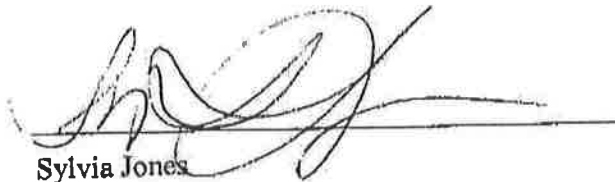
Enclosures

cc: Ms. Lisa Gilmore
Employee Relations Specialist
Employee Relations Branch
Office of Human Resources Services
Government Services Administration
lisa.gilmore@gsa.gov
(via electronic mail only)

DESIGNATION OF REPRESENTATIVE

I, Sylvia Jones, hereby designate the firm of Shaw, Bransford & Roth, P.C. to act as my representative in connection with the Notice of Proposed 14-day Suspension dated November 1, 2013, and any subsequent disciplinary action arising therefrom. I understand that the firm is authorized to act on my behalf, and I expressly request that all correspondence in these matters be directed to them with a copy to me. I specifically authorize the release of information to my representatives which would otherwise be protected by the Privacy Act, 5 U.S.C. § 552a.

11/04/2013
Date


Sylvia Jones

From: Jeff Rosen
Sent: Friday, September 20, 2013 4:26 PM
To: Sylvia Jones
Cc: Rebecca Cokley; Gary Blumenthal
Subject: Agency contingency plan

Sylvia -

OMB requires federal agencies to submit a plan next week for how they would stop operations if there is a lapse of funding. Please draft such a plan for Gary and my review by COB next Wednesday September 25th. NCD should have developed a similar plan for the 2011 potential shutdown which never occurred so there may be something already on file. Feel free to contact Aaron Bishop if you would like to see if he has any information from the time he was NCD's ED.

-Jeff

9/25/13

GSA.gov Mail - FW: Agency contingency plan

From: Sylvia Jones
Sent: Wednesday, September 25, 2013 10:11 AM
To: Jeff Rosen
Cc: Rebecca Cokley; Gary Blumenthal; Sylvia Jones
Subject: RE: Agency contingency plan

Jeff,

This is one of duties of the Executive Director. As you are aware, she did not appoint a successor in her planned absence and due to an abundance of work to include budget close out I am unable to take on additional responsibilities outside the scope of my duties.

Sylvia

From: Jeff Rosen
Sent: Wednesday, September 25, 2013 9:45 AM
To: Sylvia Jones
Cc: Rebecca Cokley; Gary Blumenthal
Subject: RE: Agency contingency plan

Sylvia -

This is a reminder that the draft contingency plan is due from you to Gary and myself no later than COB today.

I met with OMB yesterday and our budget examiner wrote to me this morning that the plan would be ideally provided them by tomorrow, but must be submitted no later than this Friday.

-Jeff

Jeff Rosen <jrosen@ncd.gov>

Wed, Sep 25, 2013 at 11:01 AM

To: Sylvia Jones <sjones@ncd.gov>

Co: Rebecca Cokley <rcokley@ncd.gov>, Gary Blumenthal <GBlumenthal@ncd.gov>

Sylvia,

Again I must resort to providing you with a direct order. Failure to follow this order could result in discipline up to and including removal.

While I understand that you are busy with end of year duties, and I recognize your comment that the contingency plan would normally be the responsibility of the Executive Director, I am ordering you to prepare the draft contingency plan as I requested in my email to you on Friday, September 20, 2013. You are directed to have the draft plan available for me and Gary by COB today.

-Jeff

<https://mail.google.com/mail/u/0/?ui=2&ik=2709411972&view=pt&search=inbox&th=1415021891801761>

4/7

From: Sylvia Jones

Sent: Wednesday, September 25, 2013 12:58 PM

To: Jeff Rosen

Cc: Rebecca Cokley; Gary Blumenthal; Sylvia Jones

Subject: FW: Agency contingency plan

Jeff,

As previously stated, it is the responsibility of the Executive Director to prepare the Agency Contingency Plan. Both you and Rebecca were notified and became aware of OMB's request on September 18, 2013 at 10:22 a.m. during which time both you and Rebecca were in the office for staff meeting. However neither of you took any action to ensure the plan was completed knowing that Rebecca would be going out on maternity leave. In fact, Rebecca never mentioned the request and you waited until she went out on maternity leave to unlawfully direct me to perform her duties. There are two additional office director's in NCD: 1) Gerrie Drake Hawkins; and 2) Anne Sommers. Out of the three director's here, I am the only director being targeted by you.

67

The Executive Director was negligent in her duties by not appointing an Interim Executive Director to ensure the plan and/or any other deliverables for which she was responsible were carried out. Per Office Directors...staff were informed by you during the staff meeting on Sept 18 that there was not a need for an Interim ED when Dr. Hawkins posed the question to you and Rebecca as to who would supervise the staff. Thus, I cannot understand why you continue to send me daily harassing emails to interrupt the order of the day to day operations issuing me unlawful directives.

Again, you are acting outside the scope of your authority. Please cease and desist further communication with me until the Executive Director returns to duty. If these actions continue to persist I will be forced to seek civil remedies.

As of September 19, 2013, I do not have a supervisor until Nov 4 when Rebecca returns to duty part-time. Therefore this is my last email to you.

Sylvia



Lisa Brown-Gilmore - CPWA <lisa.gilmore@gsa.gov>

FW: DEVIS

1 message

Jeff Rosen <jrosen@ncd.gov>

Tue, Sep 24, 2013 at 1:44 PM

To: "Lisa Brown-Gilmore - CPWA (lisa.gilmore@gsa.gov)" <lisa.gilmore@gsa.gov>, David Allen - WPG-C <david.allen@gsa.gov>

From: Sylvia Jones**Sent:** Tuesday, September 24, 2013 12:22 PM**To:** Jeff Rosen**Cc:** Sylvia Jones; Rebecca Cokley**Subject:** FW: DEVIS

Jeff,

Pursuant to NCD Authorizing Statutue and the NCD Bylaws, the NCD Chair is not authorized to supervise office staff; nor is the NCD Chair responsible for managing the day to day operations of the office. Per the statutue and the bylaws, the chairperson is responsible for the appointment, supervision, and at his/her discretion, **removal** of the Executive Director.

Your belief that I recused myself "simply becuse I disagreed with a decision" is a false statement and it also appears that you are mistaken about my duties as the Director of Administration. In accordance with the Federal Acqulsition Regulation, the authority and responsibility to contract for authorized supplies and services is vested in a warranted Contracting Officer and/or the Agency Head.

Ms. Cokley issued me a direct order regarding this issues on June 28, 2013 and I complied with her direct order. Therefore I request that you cease and desist Issuing any further communication to me on this issue due to the nature of the request as it pertains to a direct order issued to me by my supervisor.

Furthermore, your threats are unwarranted and unlawful as you are acting outside the scope of your duties. If you have any questions in the absence of the NCD General Counsel, please consult with GSA. Also, please note that these unlawful and retaliatory threats against me will be forwarded to the appropriate government officials.

- Sylvia

From: Jeff Rosen**Sent:** Friday, September 20, 2013 1:12 PM**To:** Sylvia Jones**Cc:** Rebecca Cokley

10/28/13

GSA.gov Mail - FW: DEVIS

Subject: DEVIS

Sylvia,

I understand that you recused yourself from working on a contract to replace DEVIS. You have presented no legal reason why you recused yourself.

I believe you recused yourself simply because you disagreed with the decision. Disagreeing with a decision is not grounds for recusing oneself from performing their assigned duties.

The purpose of this message is to give you a direct order. Failure to follow this order could result in disciplinary action up to and including removal.

You are to perform the duties of your position, including working on the contract to replace DEVIS immediately or to present me with written material supporting your recusal showing why the contemplated action is illegal or against government wide regulations. This written material must be presented by COB September 24, 2013.

In addition if, in the future, you believe you must recuse yourself from performing your duties, you will provide similar written documentation supporting your request with that request.

-Jeff

Jeff Rosen <jrosen@ncd.gov>

Tue, Sep 24, 2013 at 7:54 AM

To: Lisa Brown-Gillmore - CPWA <lisa.gillmore@gsa.gov>

Cc: Rebecca Cokley <rcokley@ncd.gov>, David Allen - WPG-C <david.allen@gsa.gov>

Her auto answer is still in use as of this morning., which reads:

"Sylvia Jones Automatic reply: Thank you for your email. I'm currently in the office. However due to end of year budget and payroll close out I am unable to respond to emails. I will respond to all emails by the close of business Wednesday, September 25, 2013. Thank you, Sylvia"

She is continuing not to respond to any emails or calls from NCD management, including Gary. We are in a financial crisis mode as a result.

If Sylvia continues to refuse to cooperate today or tomorrow, NCD will be significantly harmed as a result. She is aware of our need through numerous emails and phone messages.

9/25/13

GSA.gov Mail - URGENT NCD directive to Ms. Meniffee



David Allen - WPG-C <david.allen@gsa.gov>

URGENT NCD directive to Ms. Meniffee

5 messages

Jeff Rosen <jrosen@ncd.gov>
To: Sylvia Jones <sjones@ncd.gov>
Cc: Rebecca Cokley <rcokley@ncd.gov>

Mon, Sep 23, 2013 at 3:20 PM

Sylvia,

Your decision to stop reading emails or taking phone calls until September 25, 2013 is a gross neglect of your duty and will not be tolerated. I consider this to be a failure to perform the basic functions of your job. You are hereby directed to continue to read and respond to emails and telephone calls effective immediately. Failure to follow this direct order may lead to disciplinary action up to and including removal.

-Jeff

Jeff Rosen <jrosen@ncd.gov>
To: Stacey Brown <SBrown@ncd.gov>
Cc: Rebecca Cokley <rcokley@ncd.gov>

Tue, Sep 24, 2013 at 8:01 AM

Stacey -

Please print this email in full and place it under Sylvia's door.

Thank you.

-Jeff

From: Jeff Rosen
Sent: Monday, September 23, 2013 3:20 PM
To: Sylvia Jones
Cc: Rebecca Cokley
Subject: URGENT NCD directive to Ms. Meniffee

9/25/13

GSA.gov Mail - URGENT NCD directive to Ms. Menifee

To: "Lisa Brown-Gillmore - CPWA (lisa.gillmore@gsa.gov)" <lisa.gillmore@gsa.gov>, David Allen - WPG-C <david.allen@gsa.gov>
Cc: Rebecca Cokley <rcokley@ncd.gov>

Sylvia was handed a hard copy and she asked Stacey to forward the email to her.

From: Jeff Rosen

Sent: Tuesday, September 24, 2013 8:06 AM

To: Lisa Brown-Gillmore - CPWA (lisa.gillmore@gsa.gov); David Allen - WPG-C

[Quoted text hidden]

[Quoted text hidden]

Jeff Rosen <jrosen@ncd.gov>

Tue, Sep 24, 2013 at 8:58 AM

To: "Lisa Brown-Gillmore - CPWA (lisa.gillmore@gsa.gov)" <lisa.gillmore@gsa.gov>, David Allen - WPG-C <david.allen@gsa.gov>

Cc: Rebecca Cokley <rcokley@ncd.gov>

Sylvia's response below.

From: Sylvia Jones

Sent: Tuesday, September 24, 2013 8:39 AM

To: Jeff Rosen

Cc: Rebecca Cokley; Sylvia Jones

Subject: FW: URGENT NCD directive to Ms. Menifee

Jeff,

As stated on yesterday, pursuant to NCD Authorizing Statutue and the NCD Bylaws, the NCD Chair is not authorized to supervise office staff; nor is the NCD Chair responsible for managing the day to day operations of the office. Per the statute and the bylaws, the chairperson is responsible for the appointment, supervision, and at his/her discretion, removal of the Executive Director (only).

Stacey Brown is an employee under my supervision and it is inappropriate for you to involve my staff in your harassment and retaliatory attacks against me. Furthermore it is demaening and demoralizing for you to send such an unlawful and disrespectful email to my staff without having all the facts. As the NCD Chair and an Attorney I very concern over your intentional disregard for federal laws, regulations, and procedures.

My out of office was placed on due to these types of email distractions in order to allow me to close out the agency's annual budget. Julie Carrol was allowed to have her out of office email on for approximately three weeks while she allegedly dog trained and teleworked in NJ and you did not threaten her with this type of email. In fact you supported the endeavor.

Your threats are unwarranted and unlawful as you are acting outside the scope of your duties and the disrespect towards me in front of my staff is uncivil and displays a hostile work

9/25/13

GSA.gov Mail - URGENT NCD directive to Ms. Meniffee

environment. Therefore I request that you cease and desist issuing any further communication to me through my staff and/or any other NCD employee.

Please note that the inappropriate email sent to Stacey Brown at 8:01 am will be forwarded to the appropriate government officials shortly. If you have any questions in the absence of the NCD General Counsel, please consult with GSA.

-Sylvia

From: Stacey Brown
Sent: Tuesday, September 24, 2013 8:12 AM
To: Sylvia Jones
Subject: FW: URGENT NCD directive to Ms. Meniffee

FYI-Per your request.

From: Jeff Rosen
Sent: Tuesday, September 24, 2013 8:01 AM
To: Stacey Brown
Cc: Rebecca Cokley
Subject: FW: URGENT NCD directive to Ms. Meniffee

(Quoted text hidden)

No virus found in this message.
Checked by AVG - www.avg.com
Version: 2012.0.2242 / Virus Database: 3222/6194 - Release Date: 09/24/13

9/24/13

GSA.gov Mail - FW: Julie Leave



David Allen - WPG-C <david.allen@gsa.gov>

FW: Julie Leave

7 messages

Rebecca Cokley <rcokley@ncd.gov>

To: David Allen - WPG-C <david.allen@gsa.gov>

Mon, Sep 9, 2013 at 1:18 PM

See attached.

Rebecca Cokley
Executive Director
National Council on Disability
1331 F Street NW, Suite 850
Washington, DC 20004
202-272-2124 Voice
202-272-2074 TTY
202-272-2022 Fax
Rcokley@ncd.gov
Website: <http://www.ncd.gov>

—Original Message—

From: Julie Carroll

Sent: Tuesday, August 27, 2013 3:23 PM

To: Rebecca Cokley

Subject: RE: Julie Leave

Rebecca,

This is a reasonable accommodation issue - not an OPM issue. It was negotiated between me and my supervisor.

Julie

—Original Message—

From: Rebecca Cokley

Sent: Tuesday, August 27, 2013 3:21 PM

To: Julie Carroll

Subject: Re: Julie Leave

Keep me posted as to what she says. I'll reach out to OPM too.

Rebecca

Sent from my iPhone

On Aug 27, 2013, at 3:14 PM, "Julie Carroll" <JCarroll@ncd.gov> wrote:

>

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> —Original Message—

> From: Sylvia Menifee

> Sent: Tuesday, August 27, 2013 3:12 PM

> To: Julie Carroll; Robyn Powell

> Subject: RE: Julie Leave

9/24/13

GSA.gov Mail - FW: Julie Leave

>
> Julie - I need to check OPM policy to see if you can be approved to telework on regular/consistent basis and on situational basis. To my knowledge you can only select one telework option (i.e. regular or episodic); both are considered medical telework however I will check the policy and get back to you with an answer soon.

>
>
>
> It appears that we may have to update the form but for now use the current version; Stacey can convert it for you.

>
>
>
>
> Thank you,

>
>
> Sylvia Menifee

> Director of Administration

> National Council on Disability

> 1331 F Street, NW, Suite 850

> Washington, DC 20004

> Ph: 202-272-2113

> Fax: 202-272-2022

> smenifee@ncd.gov

>
>
>
>
> CONFIDENTIALITY NOTICE: The information contained in this electronic correspondence is intended solely for the individual or entity named above and access by anyone else is unauthorized. If you are not the intended recipient, any disclosure, copying, distribution, or use of the contents of this information is prohibited without express permission. If you have received this electronic transmission in error, please reply immediately to the sender that you have received the message in error, and delete it. Thank you. The information contained herein does not reflect any official position or statement of the Members or staff of the National Council on Disability (NCD).

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> —Original Message—

> From: Julie Carroll

> Sent: Tuesday, August 27, 2013 2:47 PM

> To: Sylvia Menifee; Robyn Powell

> Subject: RE: Julie Leave

8/24/13

GSA.govMail - FW: Julie Leave

the individual or entity named above and access by anyone else is unauthorized. If you are not the intended recipient, any disclosure, copying, distribution, or use of the contents of this information is prohibited without express permission. If you have received this electronic transmission in error, please reply immediately to the sender that you have received the message in error, and delete it. Thank you. The information contained herein does not reflect any official position or statement of the Members or staff of the National Council on Disability (NCD).

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> —Original Message—

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> From: Julie Carroll

>

> Sent: Tuesday, August 27, 2013 1:48 PM

>

> To: Sylvia Menifee; Robyn Powell

>

> Subject: RE: Julie Leave

>

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>

> I worked from home - a conference call re planning regional forums, emails, setting up meetings, and attending a webinar.

>

>

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> —Original Message—

>

> From: Sylvia Menifee

>

> Sent: Tuesday, August 27, 2013 1:47 PM

>

> To: Robyn Powell

>

> Cc: Julie Carroll

>

> Subject: FW: Julie Leave

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>

> Hi Robyn,

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> Julie was out for the entire day on 8/28. The attached leave slip only covers 4 hours of sick leave versus 8 hours. Please advise...

>

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>

From: Sylvia Meniffee
Sent: Thursday, September 12, 2013 2:01 PM
To: Rebecca Cokley
Cc: Sylvia Meniffee; DrGerrie Hawkins
Subject: RE: Julie's telework plan

Rebecca,

Please provide me with information source and/or federal regulation for which you state you researched the issue in order to make your determination.

Sylvia

From: Rebecca Cokley

<https://mail.google.com/mail/u/0/?ui=2&ik=2709411972&view=pt&cat=Meniffee&search=cat&th=14113562c4ec3bc4>

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24/13

GSA.gov Mail - FW: Julie's telework plan

Sent: Wednesday, September 11, 2013 9:52 AM
To: Sylvia Meniffee
Cc: Julie Carroll; Joan Durocher; Lynnae Rutledge
Subject: Julie's telework plan

Sylvia

I have researched this issue and there is no prohibition in having a flexible telework arrangement with different types of telework. The acting Director of Policy has signed off.

Please process the agreement by COB 9/12/13 or provide me with specific reasons why it cannot be legally processed.

Rebecca Cokley

Executive Director

National Council on Disability

1331 F Street NW, Suite 850

Washington, DC 20004

202-272-2124 Voice

202-272-2074 TTY

9/24/13

GSA.gov Mail - Ms. Carroll's telework



David Allen - WPG-C <david.allen@gsa.gov>

Ms. Carroll's telework

1 message

Jeff Rosen <jrosen@ncd.gov>
To: Sylvia Jones <s.jones@ncd.gov>
Cc: Rebecca Cokley <rcokley@ncd.gov>

Thu, Sep 19, 2013 at 12:52 PM

Sylvia,

I write in Ms Cokley's absence.

This is in regards to Ms. Carroll's telework plan. This was researched on OPM .gov at http://www.telework.gov/guidance_and_legislation/telework_guide/telework_guide.pdf In addition they provided the following guidance to your specific question to Ms. Margaret Higgins, Human Resources Specialist, at GSA (202-501-3764).

You are correct. While OPM's Telework Guide breaks down types of telework into two groups: 1) routine telework (telework that occurs as part of an ongoing, regular schedule, and 2) situational telework (telework approved on a case-by-case basis where the hours worked are not part of a previously approved, ongoing and regular telework schedule), our policy guidance only states that any employee who wishes to telework (regardless of type) must first complete telework training and have a written telework agreement in place (see page 4 of the Telework Guide). I might also add that the Telework Enhancement Act gave each Executive agency the exclusive authority to establish its own telework policy (subject to the limitations described in the law – e.g. written agreement). The language also specifically states the telework agreement is entered into between the manager and the employee and should outline the specific work arrangement that is agreed to between the two. This should ensure maximum flexibility is in the hands of the agency and manager in order to meet agency mission and operational/organizational needs. Remember one of the most common uses of situational telework is 'unscheduled telework' in the event of a weather related and other emergencies, which again lends further credence to the flexibility agencies and managers exercise in the use of telework as a strategic management tool. Thus in sum, unless GSA's telework policy disallows the flexibility that is described in this scenario, each individual manager has the discretion to establish routine telework schedules and to modify those arrangements on a temporary/case-by-case basis to allow for situational telework to meet organizational needs. A caveat to this, of course, is a case in which an employee moves from a purely situational telework schedule to a routine telework schedule (or vice versa). In that case, the telework agreement should be modified to reflect permanent changes to the telework agreement.

I believe you would agree that an employee with an agreement for only regular telework, could telework during a weather emergency (situational).

Please process Ms. Carroll's telework agreement by COB 9-20-13 or provide me written regulations that prevent you from doing so.

-Jeff

From: Nick Rushizky <nrushizky.cntr@ncd.gov>
Date: September 13, 2013, 6:53:35 PM EDT
To: Rebecca Cokley <rcokley@ncd.gov>, Robyn Powell <RPowell@ncd.gov>
Subject: Email request

I got a call this afternoon from my boss at Global Networkers, William Haygood, informing me that he'd been contacted by Sylva. He put it as being very strictly told by Sylva to make sure I comply with a FOIA request for emails which I apparently will be seeing next week.

I don't know the proper legal channels for how this is supposed to be handled, and I want to make sure I'm doing it properly. I'm betting that letting you know is the right start.

If there's anything else I need to do, please let me know. You can also call me whenever you need - 202-841-2616.

Nick

To: David Allen - WPG-C <david.allen@gsa.gov>
Cc: Lisa Brown-Gilmore - CPWA <lisa.gilmore@gsa.gov>, Rebecca Cokley <rcokley@ncd.gov>

David,

Thanks for your time. In reference to the aforementioned conversation with Sylvia Meniffee Jones, I was contacted last week by Sylvia. She was working from home, so I didn't recognize the number as it was blocked to my mobile phone. She told me that she was working from home, but wanted to make me aware of a situation. She said that we would receive a request dealing with the Freedom of Information Act. As my COTR, she wanted to discuss with me versus my onsite consultant (Nick Rushizky) according to contract. She said that she wanted me to tell Nick to follow the law and provide the information requested of him. She didn't say what or when the information would be, but wanted to remind me to remind him that we needed to follow the law and provide the requested information.

I let Nick know that very thing on Friday and that I was coming to meet with Sylvia on Monday to discuss contract performance. He was unaware of this FOIA request at that time and said of course he would follow what was asked of him.

We, as a company nor Nick, have a history of not being compliant with requests. I felt comfortable letting Sylvia know that whatever was requested would be provided -as always.

That's all the detail I have of the conversation. If you or Ms. Cokley have additional questions, concerns, or requests, we will be happy to comply. I would like to request that I be made aware of conversations that are being had directly with Nick Rushizky in reference to anything having to do with a legal matter as Nick is my employee (and has been for a long time) but he is not authorized to respond to legal inquiries on behalf of Global Networkers and the status of our contract. He, of course, can answer questions requested of him that may aid you in any way, but I would like to be aware of the context as this has the potential of being a stressful situation at his workplace.

Thanks so much for your time and consideration.

Sincerely,

William

William Haygood, President & CEO

Global Networkers

(704) 343-0094 ext. 202

(704) 724-3330 (mobile)



<http://www.globalnetworkers.com>

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [Rebecca Cokley](#)
Date: 9/25/2013 11:04:36 AM
Subject: RE: (b) (6) Decision Notice

Rebecca - It is my guidance that we should handle the issue concerning (b) (6) independently of any issues associated with Sylvia. I am of the clear opinion that this matter would best be handled by you in person when you return from leave. GSA went by some unknown schedule in preparing this notice, and their work is appreciated. However, the timing needs to fit NCD. In my opinion, that will be when you return unless there is some Federal rule which requires us to issue it earlier. -Jeff

From: Rebecca Cokley Sent: Wednesday, September 25, 2013 10:58 AM To: Jeff Rosen Cc: David Allen; Lisa Brown-Gilmore - CPWA Subject: Re: (b) (6) Decision Notice Let me talk to Thomasina and see if we can push it back until I'm at least teleworking 50% time, I can come into the office and handle it then in person. I just worry that if we don't move on it, Sylvia will make the case that we're taking our time with (b) (6) discipline versus hers--but then again I don't know if this matters. Sent from my iPad On Sep 25, 2013, at 10:56 AM, "Jeff Rosen" <jrosen@ncd.gov> wrote: > Rebecca - > > Its my strong preference that you handle this issue upon your return to have an in person handling of the matter and any follow up. Is that possible? If so, that's what I would like to do. > > -Jeff >

> From: Rebecca Cokley > Sent: Wednesday, September 25, 2013 10:52 AM > To: Jeff Rosen > Cc: David Allen; Lisa Brown-Gilmore - CPWA > Subject: (b) (6) Decision Notice > > Jeff > > > Attached is (b) (6). Dave and Lisa, do you advise Jeff speak to (b) (6) with Sylvia present (since she is his supervisor) or handle it solo? > > Rebecca > > >

(b) (5)

From: Gary Blumenthal
Sent: Tuesday, September 24, 2013 4:35 PM
To: Sylvia Jones
Cc: Jeff Rosen
Subject: RE: Please Respond ASAP

Sylvia, Are you thus stating that Ms. Orlando will not be paid or that you will be able to process the payment after October 1, 2013?

Gary

From: Sylvia Jones
Sent: Tuesday, September 24, 2013 9:47 AM
To: Gary Blumenthal
Cc: Sylvia Jones
Subject: FW: Please Respond ASAP

Gary,
Per close out guidance that I sent to all NCD staff on August 14, the last day for vendor invoices, obligations and accruals to be received in GSA to ensure processing by Sept 30...was Friday, Sept 13. NCD is currently non-compliant to GSA fiscal year close out guidance. The consistent influx of untimely emails and directives from you and Jeff last week has impeded my workload. Professional courtesy goes both ways. As you aware we do not have a Financial Analyst in place due a delay in hiring by the Chair and Executive and I am closing out the budget alone. A task that was completed in the past by three (3).

Regarding Stephanied Orlando - per the NCD Financial Manual - travel vouchers must be completed within five (5) business days upon completion of travel. Stephanie had three outstanding travel vouchers that dated back to June 2013, one of which I completed last week. She was not notified twice concerning the vouchers however she took no action.

Regarding the cooperative agreement extension - this is being handled by Gerrie. Per her email to earlier, she will review and get back to you by noon today.

Also please be advised that prior to her departure from office for delivery, Rebecca had financial transactions in her possession for review and signature (i.e. travel vouchers, bills, credit card statements).

Sylvia

From: Gary Blumenthal <garyblumenthal@addp.org>
Sent: Tuesday, September 24, 2013 9:28 AM
To: Sylvia Jones
Cc: Jeff Rosen
Subject: Please Respond ASAP

Sylvia,

I still need a response from you regarding Stephanie Orlando's inquiry and the status of the Cooperative Agreement extension. As the Council member who has worked with you the most and tried to assist you as you have requested I need the same in return from you now. I have left numerous VMs, emails and phone messages with Stacey. Please return my calls as a professional courtesy.

Gary H. Blumenthal

Non-Responsive

Non-Responsive

handle any issues in the interim which we think requires your and GSA's support. I also would like to discuss with you about receiving support in the new FY after your contract with GSA expires.

This week Tuesday, Wednesday and Friday afternoons are good for me. Please feel free to include GSA personnel if appropriate. We will look to including Lynnae if shes available.

Thanks

-Jeff

From: Jeff Rosen

Sent: Monday, September 16, 2013 11:46 AM

To: Kamilah Martin-Proctor; Stephanie Orlando; Clyde Terry; Clyde Terry; Lynnae Rutledge; Gary Blumenthal; garyblumenthal@addp.org

Cc: Rebecca Cokley

Subject: Executive Director

Dear colleagues -

As you know, Rebecca is scheduled for maternity leave beginning next week. By all accounts internally & externally to NCD, Rebecca has been doing a fantastic job. We are excited about meeting her newborn and look forward to her rejoining NCD upon her return in 3 weeks, which she will do so by teleworking until approximately the end of the year.

We have made a diligent examination of how to handle Rebecca's temporary leave. We decided that the current staff simply have overflowing work responsibilities and tasks and it would be too much to ask any of them to act in Rebecca's stead. We considered bringing someone from outside who has experience with federal agency administration and disability policy issues and identified 3 candidates. However, for a variety of reasons, none of them worked out.

Thus, I am of the view that we will not designate an acting ED in the interim 3 week period. Each supervisor for the 3 departments - administration, policy & legislative - is capable of maintaining the operations of their respective departments during this period. Gary B. will continue to sign off on any financial matters. As the head of the agency, I will sign off on any other NCD operational paperwork.

Any matters which require the ED's involvement which cannot be delayed until Rebecca's return to telework will be referred to the Chair whom will consult with the Executive Committee about any necessary action.

I would appreciate any input you may have on this before I transmit this email to the full Council.

Thanks.

-Jeff

By the way, I met Joan's baby Noah last week, what a beautiful healthy baby boy! His mom and dad are doing very well. Joan misses us as much as we miss her, but is content with the precious time with her newborn.

--

Dave Allen

Employee Relations Specialist

301 7th Street SW

Room 1619

Washington, DC 20407

David.Allen@GSA.gov

202-690-9475

FAX 202-205-2546 (Please call or email if faxing so that I can retrieve it)

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [Scott Royster - BCED](#)
Date: 10/17/2013 8:44:40 PM
Subject: RE: Help from GSA for NCD

Hi Scott -

Checking about GSA's offer to help NCD acquire a temp financial person. Could someone contact me about this soon?

Appreciate it.

-Jeff

From: Jeff Rosen
Sent: Friday, September 27, 2013 4:18 PM
To: Scott Royster - BCED
Cc: Gary Blumenthal; David Allen - WPG-C; Lisa Brown-Gilmore - CPWA; scott.royster@gsa.gov; Rebecca Cokley; Vickie Jones; Michael Swanchara - BC; Marisa Quinlivan; Julianne White; Michele R. Nokes
Subject: RE: Help from GSA for NCD

As a last note, it is urgent that NCD receives procurement and temp support. Thank you for helping us make it happen asap.

-Jeff

From: Jeff Rosen
Sent: Thursday, September 26, 2013 9:01 PM
To: Scott Royster - BCED
Cc: Gary Blumenthal; David Allen - WPG-C; Lisa Brown-Gilmore - CPWA; scott.royster@gsa.gov; Rebecca Cokley; Vickie Jones; Michael Swanchara - BC; Marisa Quinlivan; Julianne White; Michele R. Nokes
Subject: RE: Help from GSA for NCD

Thanks Scott.

NCD does not have a designated procurement/contracting officer. GSA legal provided an opinion that I have the authority to enter into contracts as the agency head and that I also have the authority to delegate it, which I have to Gary in my stead if necessary. Gary and I are handling the procurement decisions, approving expenditures and signing obligating documents.

Rebecca as the agency ED is in the process of receiving training to become the agency procurement/contracting officer. We have contacted GSA to receive an estimate to provide us with procurement support and we would appreciate your help in putting into place an agreement with GSA for that service.

It is our intent to keep Sylvia performing the full scope of her responsibilities. She would keep track of the funding being obligated. However she has refused on a number of occasions to assist with preparing the appropriate documents. She also has other conduct issues which GSA HR is assisting us with. In light of the ongoing issues with her and the possibility she will be unavailable for a variety of reasons, we would like to have a temporary staff person as a back up. You've indicated before that you could help us procure someone, we would like that person onboard asap. This temp would help ensure that NCD has timely financial document preparation and obligation reporting in the event Sylvia becomes unavailable for any significant period of time.

GSA's role would be to establish controls around the process, advise us about the proper procedures, keep us

informed about our financial status and assist with various questions as you have done recently. This role would be temporary until NCD fills the two financial positions who are then trained by GSA.

Appreciate it.

-Jeff

From: Scott Royster - BCED <ronald.royster@gsa.gov>

Sent: Thursday, September 26, 2013 5:41 PM

To: Jeff Rosen

Cc: Gary Blumenthal; David Allen - WPG-C; Lisa Brown-Gilmore - CPWA; scott.royster@gsa.gov; Rebecca Cokley; Vickie Jones; Michael Swanchara - BC; Marisa Quinlivan; Julianne White; Michele R. Nokes

Subject: Re: Help from GSA for NCD

Jeff, Gary,

I think all of these things fall within the scope of your current interagency agreements with GSA. My office can clearly help you in monitoring your FY13 and FY14 funding and the status of financial actions. We can also serve as a resource to help you in clarifying financial policy and/or direct you to the authoritative source.

As you stated below, NCD will have to maintain the responsibility for operating and procurement decisions, approving expenditures, signing obligating documents, etc. We can help you track and maintain your current financial position, as long as we know what funding is being obligated. You will need someone who can continue to prepare documents for the agency. We can provide the training and assistance necessary for coding the documents appropriately. We can also help you establish a method of tracking approved obligations and monitoring those against your budget.

For procurement activities (not show who your procurement/contracting officer is today), we can work with other GSA offices to help you through procurement activities. We have some offices that can do procurement work and/or provide you with the appropriate procurement policies that must be followed. My office can not do the procurements on your behalf as we do not have a contracting officer/procurement specialist in place.

Is your intent to remove Sylvia from the process or just to establish controls around the process and advise on the correct procedures that need to be followed? If you are going to remove her from the process, they you may want to get a temporary staff person who can process documents. We can assist you in providing oversight and direction, but you will need an on-site person who can keep things moving along.

The other emails today are perfect examples of how we can provide assistance to ensure the proper rules are being followed. Is this what you had in mind until you can hire a permanent resource and get them trained?

Scott

R. Scott Royster
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Financial and Payroll Services Division (BCE)
Office of the Chief Financial Officer
General Services Administration
Phone 816-926-5072
Cell 816-(b) (6)
scott.royster@gsa.gov or ronald.royster@gsa.gov

On Tue, Sep 24, 2013 at 8:31 PM, Jeff Rosen <jrosen@ncd.gov> wrote:

Gary -

Thanks for following up with GSA on this.

Scott, where we are is that Sylvia Meniffee, NCD's Director of Administration told us last July that we would have approximately \$45K excess funds to reallocate. Her guidance was to wait until about September 16th to get a new status of funds to more accurately reallocate. At that time she advised us we now had about \$200K of excess funds. She then virtually disappeared and was not cooperative with NCD managers in attempting to timely reallocate the excess funds. She has continually obstructed NCD financial operations, saying bad or illegal contract or process and refusing to do anything more.

To ensure that NCD is not placed in this position again, NCD has voted to realign the 2 financial positions under her - Financial Analyst and Administrative Specialist to report directly to the Executive Director while providing the Director of Administration support for her duties. This realignment will provide additional safeguards and oversight. We expect to fill those positions in the late Fall or early Winter when the ED returns from maternity leave.

What we need is temporary support to help us bridge the gap from now until when we hire and train the new personnel. We would be pleased if that additional temporary support came from GSA, they have provided us with excellent HR support. However, it is very important that the support be very responsive as GSA HR has been. If you or your colleagues at GSA can do that for us, that's great we won't need a temp. If it's not possible to get "in time" support from GSA, maybe we should consider hiring a temp and your help in obtaining one if we go that route would be appreciated. Again we prefer to go with GSA if possible. We understand that in any event, the operating and procurement decisions must be made by the heads of the agency, that's not an issue for us. We just need good advice about what to do and how to do it.

I've started below a list of the financial related tasks and functions we need support on:

- Helping us determine exactly how much funds we have remaining in FY '13;
- Helping us determine whether we can obligate remaining FY'13 funds;
- Provide a resource for our financial management related questions;
- Reviewing the status of funds at the outset of '14 and advising about NCD's financial positions and management;
- Identifying appropriate procurement vehicles for NCD obligations; and
- Identifying appropriate financial and other operational management tasks that the Director of Administration must perform to ensure NCD is financially sound and is able to accomplish all of its financial and operational needs.

Gary might have other items to add to the above.

Once we have a temporary financial support person in place, we will provide specific tasks that the person will be asked to assist us and avail ourselves to that resource on an ongoing basis as issues arise in managing the Director of Administration.

Thanks.

-Jeff

From: Gary Blumenthal <garyblumenthal@addp.org>

Sent: Tuesday, September 24, 2013 4:05 PM

To: Jeff Rosen; David Allen - WPG-C; Lisa Brown-Gilmore - CPWA

Cc: scott.royster@gsa.gov

Subject: Help from GSA for NCD

Jeff,

I have spoken with Scott Royster at GSA Kansas City. GSA is willing to assist us, however we need to explain and list in detail the functions we want them to perform. They are also willing to train any additional personnel we bring on, such as the financial analyst and they will help us procure a temp if we choose that route, however they need us to understand the limitations of what a temp may perform. Some duties cannot be given to a contractor or temp, however if we vest those duties in the executive director we may be able to proceed. I have discussed procurements, timekeeping and contractual problems we are having with the incumbent.

Can you or David or Lisa assist me in how we should respond to Scott's kind offer of assistance?

Thank you.

Gary

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:Jrosen@ncd.gov)
To: [Lisa Brown-Gilmore - CPWA \(lisa.gilmore@gsa.gov\)](mailto:lisa.gilmore@gsa.gov)
[David Allen - WPG-C](#)
Date: 9/27/2013 4:54:14 PM
Subject: FW: FW: NCD contract extension with DEVIS

I am very dissatisfied that Sylvia's refusal to provide support on this matter has caused so much more work for others at the Council. What can GSA do to help reduce that burden?

Thanks.

-Jeff

From: Jeff Rosen
Sent: Friday, September 27, 2013 4:38 PM
To: Scott Royster - BCED
Cc: michele.nokes@gsa.gov; Julianne White; Gary Blumenthal; Rebecca Cokley; Mark Whittimore; Lesly Wilson - LG; John Peters - LG; Tom Hodnett - CB; Melanie Lewis - WPGQ
Subject: RE: FW: NCD contract extension with DEVIS

Thank you Scott.

I will check in with DEVIS to see if they plan to bill out the full amount of the current agreement.

Melanie, any information that I should obtain from you in the meantime?

-Jeff

From: Scott Royster - BCED <ronald.royster@gsa.gov>
Sent: Friday, September 27, 2013 4:30 PM
To: Jeff Rosen
Cc: michele.nokes@gsa.gov; Julianne White; Gary Blumenthal; Rebecca Cokley; Mark Whittimore; Lesly Wilson - LG; John Peters - LG; Tom Hodnett - CB; Melanie Lewis - WPGQ
Subject: Re: FW: NCD contract extension with DEVIS

Jeff,

As I understand it, you have contracting authority to execute an agreement. I am not a procurement specialist, but my experience is that you can in fact do a short term contract extension while you negotiate a new contract. You must have funding available to create the obligation. If you have current year funds, you can continue the contract assuming you continue to have a bona fide need going into the new year. I am not aware of any rule that would prohibit you from crossing fiscal years with a contract.

I want to make sure that you are aware that NCD is subject to the Federal Acquisition Regulation (FAR).

Whoever is signing agreements, needs to make sure that you are following the FAR regulations. Again, no one in my office is a procurement specialist, so we can advise you from the financial standpoint, but not the contractual standpoint. I am copying our legal staff in case they want to weigh in.

If you have specific questions about procurement regulations, Tom Hodnett has given me the name of Melanie Lewis in GSA's Federal Acquisition Service. Melanie's email address is melanie.lewis@gsa.gov.

As I stated, you can not use the FY10 funding, it has expired. Your open items shows an unbilled amount of FY13

funding on the DEVIS contract. You need to check with DEVIS to see if they plan to bill out the full amount of the current contract. If not, you could execute a mod to free up that money and then use it for this mod to the contract.

Scott

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scott.royster@gsa.gov or ronald.royster@gsa.gov

On Thu, Sep 26, 2013 at 8:07 PM, Jeff Rosen <jrosen@ncd.gov> wrote:

Scott -

The contracting officer for the DEVIS contract is someone who is in over her head. Therefore I have replaced her until we are able to obtain the appropriate procurement support from GSA (which I hope you will help us with) and Rebecca as the agency ED obtains the requisite training.

How do you advise us to proceed with the DEVIS situation. The extension was for 6 months and estimated to cost over \$10K, which is more than the remaining 2013 funding, if that much is still left.

Do I ask Sylvia how much funding remains in the obligation? Do I ask DEVIS that question. How may we cure any shortfall?

Thanks for your assistance here while we work to put into effect the appropriate financial management systems.

-Jeff

From: Scott Royster - BCED <ronald.royster@gsa.gov>

Sent: Thursday, September 26, 2013 2:14 PM

To: Jeff Rosen

Cc: michele.nokes@gsa.gov; Julianne White; Gary Blumenthal; Rebecca Cokley; Mark Whittemore

Subject: Re: FW: NCD contract extension with DEVIS

Jeff,

Who is your contracting officer? This needs to be reviewed by someone who is a procurement specialist and can only be executed by someone who is authorized to enter into contracts on behalf of NCD.

Unfortunately, we do not have a procurement specialist/contracting officer on our staff within External Services. My experience is that I have seen times when it is valid to execute a short-term contract extension while a new procurement is executed. The specifics of this action have to be done by a contracting officer who is fully educated on contracting principals.

That being said, from the financial perspective, based on the list of open items I sent you this morning, you have the following open obligations for this vendor.

fundbbfy vendor_nm	Open Obligation
842 2010DEVIS	7,436.24
842 2013DEVIS	7,500.00

Both of these are funded by annual year appropriations. The FY10 funding is not available for you to execute this new obligation. That funding has expired. You may be able to use the FY13 funding for the extension, provided DEVIS agrees that the prior tasks are complete and they do not plan to bill against this open balance (it's already obligated under your current contract agreement).

Scott

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On Thu, Sep 26, 2013 at 12:16 PM, Jeff Rosen <jrosen@ncd.gov> wrote:

Scott -

This issue was previously raised with GSA and we would appreciate your prompt review of this matter. Sylvia, NCD's Director of Administration, has generally represented that this is a "bad agreement" which she cannot process without identifying in writing to the current NCD managers the specific issue about why it may be problematic. NCD's website will go offline if there is not a time limited extension executed while we procure a contractor for this service.

Please advise.

Thanks.

-Jeff

From: Jeff Rosen
Sent: Tuesday, September 24, 2013 11:26 AM
To: Sylvia Jones
Cc: Rebecca Cokley
Subject: FW: NCD contract extension with DEVIS

Sylvia -

The attached Memorandum has my signature and is also approved by Gary as Chair of the A&F Committee. The Memorandum extends the existing service from DEVIS for a time limited period while staff and you work on procuring a contractor for this service. This approach will ensure that NCD's website does not go offline after the end of this month, which would deprive NCD's constituents of a critical resource and communications mode. You have previously stated that there are funds remaining in prior FY obligation to DEVIS. Therefore no

new funding from this FY or next need to be obligated for this extension.

You are to process the extension by COB this Friday September 27, 2013 or provide Federal law or rule for why you cannot do so. You are to send by that deadline Rebecca and I an email confirming that you have accomplished this task. This follows on my September 20, 2013 email ordering you not to recuse yourself from the DEVIS matter and that failure to do so will result in disciplinary action including removal.

-Jeff

From: Marina Gelles <mgelles@devis.com>
Sent: Thursday, September 19, 2013 2:31 PM
To: Jeff Rosen
Cc: Anne Sommers; Gary Blumenthal
Subject: Re: NCD contract extension with DEVIS

Jeff,

I have revised the quote accordingly and prepared the Memorandum to request the contract's extension - already executed by DEVIS - pending NCD signature. Could you please look the attached documents over and let me know if there is anything else needed, in order to proceed with the contract extension? Thank you so much.

Marina

Marina Gelles
Contracts Compliance Manager
Development InfoStructure, Inc. (Devis)
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Phone: [202-204-3080](tel:202-204-3080)
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mgelles@devis.com
mgelles@usaid.gov
Phone: [703.525.6485](tel:703.525.6485)
Fax: [703.525-6029](tel:703.525-6029)

From: "Jeff Rosen" <jrosen@ncd.gov>
To: "Marina Gelles" <mgelles@devis.com>
Cc: "Anne Sommers" <ASommers@ncd.gov>, "Gary Blumenthal" <GBlumenthal@ncd.gov>
Sent: Thursday, September 19, 2013 1:03:30 PM
Subject: RE: NCD contract extension with DEVIS

Thank you Marina.

The two items following basic hosting and tech support in section 2.2 are not needed for an extension. As for the last item in that section, we only need a few pages of document posting than the quote.

Thus, our needs are as follows:

- Website hosting \$7,500
- Remote technical support \$3,000
- Document posting (5 pages at \$9.56/page) \$47.80
- **TOTAL: \$10,547.80**

Could you promptly revise the quote to reflect the above & resend to us? Also, can you please send a formal agreement to extend for us to execute? We would like to get this done by COB tomorrow.

Thanks.

-Jeff

From: Marina Gelles <mgelles@devis.com>
Sent: Wednesday, September 18, 2013 2:26 PM
To: Jeff Rosen
Cc: Anne Sommers
Subject: RE: NCD contract extension with DEVIS

Jeff,

I apologize for the delay as Jake Stone is still out sick. Please find attached the quote Jake has developed for the services to be provided from October 1 through December 31, 2013.

Should you need additional documents, please let me know.

Kind regards,
Marina

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From: Jeff Rosen [mailto:jrosen@ncd.gov]
Sent: Tuesday, September 17, 2013 9:58 PM
To: Marina Gelles
Cc: Anne Sommers
Subject: RE: NCD contract extension with DEVIS

Where are we on this? Thanks.

From: Marina Gelles <mgelles@devis.com>
Sent: Monday, September 16, 2013 10:42 AM
To: Jeff Rosen
Cc: Anne Sommers
Subject: RE: NCD contract extension with DEVIS

Jeff,

Thank you for your email. Unfortunately, Jake Stone, the PM, is out sick today but Jake assured me that he should be able to have the quote today, tomorrow morning at the latest.

I apologize for the inconvenience.

Kind regards,
Marina

Marina Gelles
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From: Jeff Rosen [<mailto:jrosen@ncd.gov>]
Sent: Saturday, September 14, 2013 12:15 PM
To: Marina Gelles
Cc: Anne Sommers; Jake Stone
Subject: RE: NCD contract extension with DEVIS

Marina -

We need something this Monday 9/16. Again, we are looking to a few months extension as a precursor to a longer-term new contract.

Thank you.

-Jeff

From: Marina Gelles <mgelles@devis.com>
Sent: Thursday, September 12, 2013 3:58 PM
To: Jeff Rosen
Cc: Anne Sommers; Jake Stone
Subject: Re: NCD contract extension with DEVIS

Jeff,

Thank you so much for your email.

We are pleased to be able to work with the NCD on this important project and look forward to the contract's extension. I am copying Jake Stone, our Project Manager, who will follow-up to confirm the requirements and will provide a quote.

Should you have any questions on contractual issues, please do not hesitate to contact me at any time.

Kind regards,
Marina

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Fax: [703.525-6029](tel:703.525-6029)

From: "Jeff Rosen" <jrosen@ncd.gov>
To: mgelles@devis.com, mgelles@usaid.gov
Cc: "Anne Sommers" <ASommers@ncd.gov>
Sent: Thursday, September 12, 2013 12:46:20 PM
Subject: NCD contract extension with DEVIS

Hi Marina -

I am with NCD and we would like check into the possibility to extend the current contract with DEVIS for a few months. This will ensure that NCD's website doesn't go offline when the current contract expires the end of this month.

Thanks.

-Jeff Rosen

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:Jeff.Rosen@ncd.gov)
To: [Lawrence Carter-Long](#)
Date: 9/20/2013 12:36:16 PM
Subject: RE: From LCL -- Clarifying Question RE: Purchase Request

Yes please, thanks.

From: Lawrence Carter-Long
Sent: Friday, September 20, 2013 12:34 PM
To: Jeff Rosen
Cc: Gary Blumenthal; Gary Blumenthal
Subject: RE: From LCL -- Clarifying Question RE: Purchase Request

Thank you, gentlemen. Appreciate it.

Don't want to muck up the process.

How should I proceed, write back and say FY 13? Then leave it at that?

Lawrence Carter-Long
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National Council on Disability
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<https://www.facebook.com/NCDgov>
Follow NCD on Twitter:
<http://twitter.com/NatCounDis>
Sign up for regular email updates at:
<http://www.ncd.gov/subscribe>

From: Jeff Rosen
Sent: Friday, September 20, 2013 12:28 PM
To: Lawrence Carter-Long
Cc: Gary Blumenthal; Gary Blumenthal
Subject: RE: From LCL -- Clarifying Question RE: Purchase Request

Lawrence -

I have copied A&F Chair Gary here.

The items are to be purchased in FY '13. Sylvia is aware of that.

Thanks.

-Jeff

From: Lawrence Carter-Long
Sent: Friday, September 20, 2013 12:10 PM
To: Jeff Rosen
Subject: From LCL -- Clarifying Question RE: Purchase Request

Can you help clarify here please? I am not certain. Want to respond accurately.

Thanks much!

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<http://twitter.com/NatCounDis>

Sign up for regular email updates at:

<http://www.ncd.gov/subscribe>

From: Sylvia Jones
Sent: Friday, September 20, 2013 12:05 PM
To: Lawrence Carter-Long; Nick Rushizky
Cc: Anne Sommers
Subject: RE: Purchase Request

Lawrence,

Please clarify something for me...Were these items to be purchased in FY-14?

Thank you,
Sylvia

From: Lawrence Carter-Long
Sent: Friday, September 20, 2013 12:04 PM
To: Sylvia Jones; Nick Rushizky
Cc: Anne Sommers
Subject: RE: Purchase Request

After conferring with colleagues in the media and making time to even field test the software I added it to the 2nd or 3rd version of the "wish list."

It offers an impressive suite of options.

Streamlines the editing process tremendously.

Cuts down on amount of time it takes in editing and post production. As a one person production unit that's golden. Really useful.

Thanks much. Will let you know what I find out.

All best,

Lawrence Carter-Long
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<http://twitter.com/NatCounDis>

Sign up for regular email updates at:

<http://www.ncd.gov/subscribe>

From: Sylvia Jones

Sent: Friday, September 20, 2013 11:53 AM

To: Lawrence Carter-Long; Nick Rushizky

Cc: Anne Sommers

Subject: RE: Purchase Request

Hi Lawrence,

I have no idea. Maybe Nick would know. However if I hear anything will let you know.

Thank you,

Sylvia

From: Lawrence Carter-Long

Sent: Friday, September 20, 2013 11:51 AM

To: Sylvia Jones; Nick Rushizky

Cc: Anne Sommers

Subject: RE: Purchase Request

Afternoon! Thank you, Sylvia. Greatly appreciated.

Was anything decided about obtaining the Hindenburg Journalist Pro software which would be used with the audio production kit?

I inquired just this morning about the availability of discounted or govt rates below the \$375 market rate, but have not heard back yet.

All best,

Lawrence Carter-Long
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Get regular updates via NCD's Facebook page:

<https://www.facebook.com/NCDgov>

Follow NCD on Twitter:

<http://twitter.com/NatCounDis>

Sign up for regular email updates at:

<http://www.ncd.gov/subscribe>

From: Sylvia Jones

Sent: Friday, September 20, 2013 11:31 AM

To: Nick Rushizky

Cc: Lawrence Carter-Long; Anne Sommers

Subject: Purchase Request

Hi Nick,

In Lawrence absence, I need a purchase request for the items below. Please submit on Monday.

Thank you,
Sylvia

Membership at Photoability.com	300.00				
Digital Camera	500.00	Please facilitate lawrence purchasing this with the Credit Card			
Sync Words Video Captioning Service (50-100 hours annual package, plus gov't discount)	139	We can use credit card at website. Please facilitate.			
Audio production kit (podcast studio) to pursue adding brief podcast summaries of our reports to each report landing page going forward	145	We can use credit card at website. Please facilitate.			
Adobe PhotoShop for use in design of infographics, homepage slides, simple covers for in-house reports, etc. (\$650/computer)					

(b) (5)

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [Lynnae Ruttledge](#)
[David Allen - WPG-C](#)
Date: 9/16/2013 12:32:48 PM
Subject: RE: Executive Director

Thanks Lynnae. Tuesday afternoon at GSA would be my preference, will look to more information from Dave & GSA.

-Jeff

From: Lynnae Ruttledge
Sent: Monday, September 16, 2013 12:31 PM
To: Jeff Rosen; David Allen - WPG-C
Cc: Rebecca Cokley; Lisa Brown-Gilmore - CPWA (lisa.gilmore@gsa.gov)
Subject: RE: Executive Director

Thanks Jeff. I'm on my way to DC for the forum and LTCC meeting. I'm available Tuesday after 3:30 (I will do it person at GSA) or by phone on Friday.

Lynnae

(b) (6)

From: Jeff Rosen
Sent: Monday, September 16, 2013 11:46 AM
To: Kamilah Martin-Proctor; Stephanie Orlando; Clyde Terry; Clyde Terry; Lynnae Ruttledge; Gary Blumenthal; garyblumenthal@addp.org
Cc: Rebecca Cokley
Subject: Executive Director

Dear colleagues -

As you know, Rebecca is scheduled for maternity leave beginning next week. By all accounts internally & externally to NCD, Rebecca has been doing a fantastic job. We are excited about meeting her newborn and look forward to her rejoining NCD upon her return in 3 weeks, which she will do so by teleworking until approximately the end of the year.

We have made a diligent examination of how to handle Rebecca's temporary leave. We decided that the current staff simply have overflowing work responsibilities and tasks and it would be too much to ask any of them to act in Rebecca's stead. We considered bringing someone from outside who has experience with federal agency administration and disability policy issues and identified 3 candidates. However, for a variety of reasons, none of them worked out.

Thus, I am of the view that we will not designate an acting ED in the interim 3 week period. Each supervisor for the 3 departments - administration, policy & legislative - is capable of maintaining the operations of their respective departments during this period. Gary B. will continue to sign off on any financial matters. As the head of the agency, I will sign off on any other NCD operational paperwork.

Any matters which require the ED's involvement which cannot be delayed until Rebecca's return to telework will be referred to the Chair whom will consult with the Executive Committee about any necessary action.

I would appreciate any input you may have on this before I transmit this email to the full Council.

Thanks.

-Jeff

By the way, I met Joan's baby Noah last week, what a beautiful healthy baby boy! His mom and dad are doing very well. Joan misses us as much as we miss her, but is content with the precious time with her newborn.

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:Jrosen@ncd.gov)
To: [Lisa Brown-Gilmore - CPWA \(lisa.gilmore@gsa.gov\)](mailto:Lisa.Gilmore@gsa.gov)
[David Allen - WPG-C](#)
Date: 9/24/2013 8:58:20 AM
Subject: FW: URGENT NCD directive to Ms. Meniffee

Sylvia's response below.

From: Sylvia Jones
Sent: Tuesday, September 24, 2013 8:39 AM
To: Jeff Rosen
Cc: Rebecca Cokley; Sylvia Jones
Subject: FW: URGENT NCD directive to Ms. Meniffee

Jeff,

As stated on yesterday, pursuant to NCD Authorizing Statutue and the NCD Bylaws, the NCD Chair is not authorized to supervise office staff; nor is the NCD Chair responsible for managing the day to day operations of the office. Per the statutue and the bylaws, the chairperson is responsible for the appointment, supervision, and at his/her discretion, **removal** of the Executive Director (only).

Stacey Brown is an employee under my supervision and it is inappropriate for you to involve my staff in your harassment and retaliatory attacks against me. Furhtermore it is demaening and demoralizing for you to send such an unlawful and disrespectful email to my staff without having all the facts. As the NCD Chair and an Attorney I very concern over your intentional disregard for federal laws, regulations, and procedures. My out of office was placed on due to these types of email distractions in order to allow me to close out the agency's annual budget. Julie Carrol was allowed to have her out of office email on for approximately three weeks while she allegedly dog trained and teleworked in NJ and you did not threatened her with this type of email. In fact you supported the endeavor.

Your threats are unwarranted and unlawful as you are acting outside the scope of your duties and the disrespect towards me in front of my staff is uncivil and displays a hostile work environment. Therefore I request that you cease and desist issuing any further communication to me through my staff and/or any other NCD employee.

Please note that the inappropriate email sent to Stacey Brown at 8:01 am will be forwarded to the appropriate governement officials shortly. If you have any questions in the absence of the NCD General Counsel, please consult with GSA.
-Sylvia

From: Stacey Brown
Sent: Tuesday, September 24, 2013 8:12 AM
To: Sylvia Jones
Subject: FW: URGENT NCD directive to Ms. Meniffee

[FYI-Per your request.](#)

From: Jeff Rosen
Sent: Tuesday, September 24, 2013 8:01 AM
To: Stacey Brown
Cc: Rebecca Cokley
Subject: FW: URGENT NCD directive to Ms. Meniffee

Stacey -

Please print this email in full and place it under Sylvia's door.

Thank you.

-Jeff

From: Jeff Rosen
Sent: Monday, September 23, 2013 3:20 PM
To: Sylvia Jones
Cc: Rebecca Cokley
Subject: URGENT NCD directive to Ms. Meniffee

Sylvia,

Your decision to stop reading emails or taking phone calls until September 25, 2013 is a gross neglect of your duty and will not be tolerated. I consider this to be a failure to perform the basic functions of your job. You are hereby directed to continue to read and respond to emails and telephone calls effective immediately. Failure to follow this direct order may lead to disciplinary action up to and including removal.

-Jeff

No virus found in this message.
Checked by AVG - www.avg.com

Version: 2012.0.2242 / Virus Database: 3222/6194 - Release Date: 09/24/13

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [Rebecca Cokley](#)
Date: 9/12/2013 10:27:46 AM
Subject: RE: Emails

Certainly and I do not plan to engage with Sylvia in the future other than operational needs, which I plan to primarily conduct through the ED.

My emails never questioned Sylvia's leave for health reasons. I only commented that it was unfortunate we couldn't give Gary advance notice but I never criticized her for actually taking the leave. I have fully supported NCD staff taking the leave they needed and have not treated Sylvia differently. I'm sorry she had a different impression, but we cannot validate that by discussing my own conduct.

My comments about appropriate conduct follow on my email about Sylvia's conduct in the meetings I observed last week. The ED handles any matters relating to individual conduct issues. As is my duty, I provided agency personnel with general expectations as to appropriate conduct. Any issues are referred to the ED for handling as they have been done. My emails to Sylvia were along the lines of providing a general comment about agency personnel conduct, with no specifics because that again is up to the ED to handle.

I made a comment about Sylvia's non-response to my request if she was available by phone., because that has been the instance every time about any work related communications. Sylvia almost always never responds to my work related emails and Rebecca is aware since she's always cc'ed on the emails. I leave that up to the ED to decide whether to follow up on the non-responses.

I appreciate GSA's support of NCD during this time.

-Jeff

From: Rebecca Cokley
Sent: Thursday, September 12, 2013 9:41 AM
To: Jeff Rosen
Cc: David Allen - WPG-C; Lisa Brown-Gilmore - CPWA (lisa.gilmore@gsa.gov)
Subject: Emails

DO NOT RESPOND until further guidance from Dave.

Rebecca Cokley
Executive Director
National Council on Disability
1331 F Street NW, Suite 850
Washington, DC 20004
202-272-2124 Voice
202-272-2074 TTY
202-272-2022 Fax
Rcokley@ncd.gov
Website: <http://www.ncd.gov>

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [Lisa Brown-Gilmore - CPWA](#)
[Rebecca Cokley](#)
Date: 9/30/2013 11:56:28 AM
Subject: RE: Sylvia's Husband

I am willing, but it will take me an hour to get to DC.

Can we ask a Federal marshal or someone like that to immediately go in? That will help secure the situation until I get there.

Please advise.

Thanks.

-Jeff

From: Lisa Brown-Gilmore - CPWA <lisa.gilmore@gsa.gov>
Sent: Monday, September 30, 2013 11:53 AM
To: Rebecca Cokley
Cc: David Allen; Jeff Rosen
Subject: Re: Sylvia's Husband

Jeff,

Can you please go over to NCD with an interpreter to find out exactly what is going on You should have security on hand in case there is any inappropriate behavior. Thanks

On Mon, Sep 30, 2013 at 11:34 AM, Rebecca Cokley <rcokley@ncd.gov> wrote:

Lisa

I've been contacted by 3 staff about this today. What can we do?

RC

Sent from my iPhone

Begin forwarded message:

From: Robyn Powell <RPowell@ncd.gov>
Date: September 30, 2013 at 11:23:13 AM EDT
To: Jeff Rosen <jrosen@ncd.gov>, Rebecca Cokley <rcokley@ncd.gov>
Subject: Sylvia's Husband

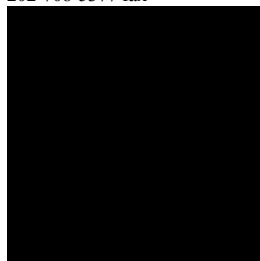
Hi Jeff and Rebecca,

Staff have informed me that a man (assumedly Sylvia's husband) has been in Sylvia's office for several hours with her and that they have overheard what sounds like papers being ripped. I wanted to let you know, as this seems inappropriate.

Thanks,
Robyn

-

Lisa Gilmore
Human Resources Specialist (Employee Relations)
Washington Area Operations Center
Employee Relations Branch-CPWA
301 7th Street, S.W., Room 1022
Washington, DC 20407
202-205-4929 Desk
202-(b) (6) Mobile Phone
202-708-5377 fax



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From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)

To: [Kamilah Martin-Proctor](#)

[Gary Blumenthal](#)

[Lynnae Rutledge](#)

[Stephanie Orlando](#)

[Clyde Terry](#)

[Clyde Terry](#)

[Gary Blumenthal](#)

Date: 10/22/2013 1:03:32 PM

Subject: RE: Input: NCD Organizational Needs Action Plan

Thanks Kamilah. I will try calling Clyde and Stephanie to see if theyre available after 3 pm today. Rebecca and Lisa, please let me know your availability today. -Jeff

From: Kamilah Martin-Proctor Sent: Tuesday, October 22, 2013 12:59 PM To: Jeff Rosen; Gary Blumenthal; Lynnae Rutledge; Stephanie Orlando; Clyde Terry; Clyde Terry; Gary Blumenthal Cc: Rebecca Cokley; Lisa Brown-Gilmore - CPWA Subject: RE: Input: NCD Organizational Needs Action Plan Hi jeff I am sorry you were not able to reach me - I have children so I tend to have my cell phone on at all times but technology can be a mess - if we can settle on a day and time I will make my self availble. 202-270-2490 - Cell Kamilah O. Martin-Proctor Co-Vice Chair / Council Member National Council on Disability 1331 F Street, NW, Suite 850 Washington, DC 20004 Ph: 202-272-2004 Fax: 202-272-2022 TTY: 202-272-2074

<http://www.ncd.gov> CONFIDENTIALITY NOTICE: The information contained in this electronic correspondence is intended solely for the individual or entity named above and access by anyone else is unauthorized. If you are not the intended recipient, any disclosure, copying, distribution, or use of the contents of this information is prohibited without express permission. If you have received this electronic transmission in error, please reply immediately to the sender that you have received the message in error, and delete it. Thank you. The information contained herein does not reflect any official position or statement of the Members or staff of the National Council on Disability (NCD).

From: Jeff Rosen Sent: Tuesday, October 22, 2013 10:34 AM To: Gary Blumenthal; Lynnae Rutledge; Kamilah Martin-Proctor; Stephanie Orlando; Clyde Terry; Clyde Terry; Gary Blumenthal Cc: Rebecca Cokley; Lisa Brown-Gilmore - CPWA Subject: RE: Input: NCD Organizational Needs Action Plan Gary - I tried calling Clyde and Kamilah this morning about their availability for a rescheduled meeting and left messages for them. Just so we arent confused, we are continuing to look to Monday and Tuesday of next week with the possibility of meeting later today or tomorrow if everyone indicates that is what they want. -Jeff

From: Gary Blumenthal <garyblumenthal@addp.org> Sent: Tuesday, October 22, 2013 10:30 AM To: Lynnae Rutledge; Jeff Rosen; Kamilah Martin-Proctor; Stephanie Orlando; Clyde Terry; Clyde Terry; Gary Blumenthal Cc: Rebecca Cokley; Lisa Brown-Gilmore - CPWA Subject: RE: Input: NCD Organizational Needs Action Plan Jeff, I concur with Lynnae's observation's however I think NCD needs to eliminate the current Director of Administration position which has turned out to be a failure in execution. From that point on we may need to use the following contractors to as we move with GSA to restructure the agency. With regard to objective #3, we are still hurt by Sylvia's refusal to complete tasks asked of her. Rebecca and I have received raw data from GSA that we are not able to decipher without Sylvia's assistance. Gary I think we need to talk as soon as possible and would ask that we continue trying to find a time that works today or tomorrow acknowledging that 11am is out for tomorrow. From: Lynnae Rutledge [<mailto:lrutledge@ncd.gov><<mailto:lrutledge@ncd.gov>>] Sent: Tuesday, October 22, 2013 9:54 AM To: Jeff Rosen; Kamilah Martin-Proctor; Stephanie Orlando; Clyde Terry; Clyde Terry; Gary

Blumenthal; garyblumenthal@addp.org<mailto:garyblumenthal@addp.org> Cc: Rebecca Cokley; Lisa Brown-Gilmore - CPWA Subject: Input: NCD Organizational Needs Action Plan Thanks Jeff. This is really helpful. Here are my initial thoughts: * I'm sure it's implied but another action step needs to be to clarify/disseminate the 'new' organizational structure and specify the tasks that the Financial Services manager (Sylvia) is responsible to perform. * We need to consider the option of possibly combining the tasks of the contractors identified in Obj 1 and 2 so that we hire only one contractor. I'll keep thinking as I travel today. Lynnae _____ From: Jeff Rosen Sent: Tuesday, October 22, 2013 6:35:18 AM To: Kamilah Martin-Proctor; Stephanie Orlando; Clyde Terry; Clyde Terry; Lynnae Rutledge; Gary Blumenthal; garyblumenthal@addp.org<mailto:garyblumenthal@addp.org> Cc: Rebecca Cokley; Lisa Brown-Gilmore - CPWA Subject: FOR YOUR ACTION: NCD Organizational Needs Action Plan As I indicated, to assist us with preparation in advance of our Executive Committee meeting, I have started a draft of a plan of action (attached and copied below) which identifies current organizational objectives and the action items needed to achieve them Please provide your input. Feel free to edit the draft document and circulate to the group your revisions. Thanks. -Jeff DRAFT October 22, 2013 NCD Organizational Needs Action Plan Coming out of the federal shutdown with a CR budget apportionment, significant personnel issues, the absences of key staff managers, unfilled staff vacancies and the realignment of financial support positions, there is an urgent need to set into place an action plan to navigate those challenges. NCD's Executive Committee members, staff managers and GSA support personnel will work together to identify current objectives, develop and implement a plan of action and actively engage in accomplishing the action items. Objective #1: Provide support for the Executive Director. Action items: • Retain an on-site contractor to assist the Executive Director with the performance of her daily duties. Rebecca to provide a scope of work for the contractor. Objective #2: Provide support for the NCD staff and enhance their workplace. Action items: • Rebecca and Lisa will develop options for our consideration. • Retain an on-site contractor to assist with HR issues, staff communications and morale, and organizational development needs. Rebecca and Lisa to provide a scope of work for the contractor. Objective #3: Provide support for NCD's financial management Action items: • Retain an on-site temporary contractor to perform financial analyst duties. Jeff and Gary to follow up with GSA in acquiring the contractor. • Resolve the backlog of contractor invoices, reimbursement of expenses and Member salary. Gary to obtain a list of those items from Rebecca. • Fill the financial analyst position and advertise the Administrative Support position. Objective #4: Resolve pending administrative needs Action items: • Provide support for the EEO complaint. Jeff is working on it with GSA. • Address the MSPB claim. Rebecca and Robyn are working on it with GSA. • Complete the FOIA request. Robyn and Janni are working on it with GSA. Objective #5: Respond to request for an Executive Session of the Council. Action items: • The Executive Committee assigns a member to help set up that meeting.

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [Lisa Brown-Gilmore - CPWA](#)
Date: 12/20/2013 8:17:18 AM
Subject: RE: Suspension Letter

No, by email to her and her lawyers and by regular mail.

From: Lisa Brown-Gilmore - CPWA <lisa.gilmore@gsa.gov>
Sent: Thursday, December 19, 2013 6:15 PM
To: Jeff Rosen
Subject: Re: Suspension Letter

Thanks Jeff please make sure that you sign the letter. Are you hand delivering it to her?

Sent from my iPhone

On Dec 19, 2013, at 4:35 PM, Jeff Rosen <jrosen@ncd.gov> wrote:

Got it, thanks. I will send it to Sylvia's attorneys and Robyn, tracking the communication protocol that they have used with me, but also add Sylvia.

I will forward to you once its sent tomorrow morning.

From: Lisa Brown-Gilmore - CPWA <lisa.gilmore@gsa.gov>
Sent: Thursday, December 19, 2013 4:30 PM
To: Jeff Rosen
Subject: Fwd: Suspension Letter

How's this?

----- Forwarded message -----

From: **Jeff Rosen** <jrosen@ncd.gov>
Date: Thu, Dec 19, 2013 at 4:09 PM
Subject: RE: Suspension Letter
To: Lisa Brown-Gilmore - CPWA <lisa.gilmore@gsa.gov>

Thanks Lisa.

Could you send me a clean copy?

Appreciate it.

-Jeff

From: Lisa Brown-Gilmore - CPWA <lisa.gilmore@gsa.gov>
Sent: Thursday, December 19, 2013 3:54 PM
To: Jeff Rosen
Subject: Suspension Letter

Hi Jeff,

The attached letter is ready for issuance. It has been reviewed by OGC. I am working with Rebecca on the 52. Please let me know when you issue the letter. I will be out of the office tomorrow, but checking my emails.

--

Lisa Gilmore

Human Resources Specialist (Employee Relations)

Washington Area Operations Center

Employee Relations Branch-CPWA

301 7th Street, S.W., Room 1022

Washington, DC 20407

[202-205-4929](tel:202-205-4929) Desk

[202-\(b\)\(6\)](tel:202-(b)(6)) Mobile Phone

[202-708-5377](tel:202-708-5377) fax

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Lisa Gilmore

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No virus found in this message.

Checked by AVG - www.avg.com

Version: 2012.0.2247 / Virus Database: 3658/6434 - Release Date: 12/19/13

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Lisa Gilmore

Human Resources Specialist (Employee Relations)

Washington Area Operations Center

Employee Relations Branch-CPWA

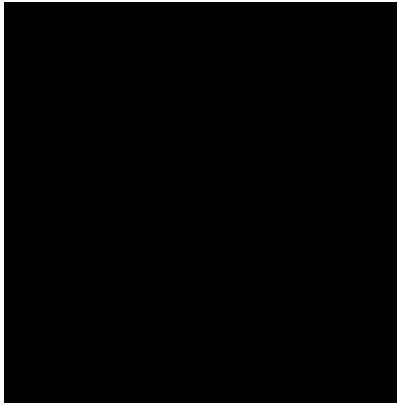
301 7th Street, S.W., Room 1022

Washington, DC 20407

202-205-4929 Desk

202-(b)(6) Mobile Phone

202-708-5377 fax



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From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [Sylvia Jones](#)
Date: 9/20/2013 1:12:44 PM
Subject: DEVIS

Sylvia,

I understand that you recused yourself from working on a contract to replace DEVIS. You have presented no legal reason why you recused yourself.

I believe you recused yourself simply because you disagreed with the decision. Disagreeing with a decision is not grounds for recusing oneself from performing their assigned duties.

The purpose of this message is to give you a direct order. Failure to follow this order could result in disciplinary action up to and including removal.

You are to perform the duties of your position, including working on the contract to replace DEVIS immediately or to present me with written material supporting your recusal showing why the contemplated action is illegal or against government wide regulations. This written material must be presented by COB September 24, 2013.

In addition if, in the future, you believe you must recuse yourself from performing your duties, you will provide similar written documentation supporting your request with that request.

-Jeff

Non-Responsive

Non-Responsive

(b) (5)

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:Jrosen@ncd.gov)
To: [David Allen - WPG-C](#)
[Lisa Brown-Gilmore - CPWA \(lisa.gilmore@gsa.gov\)](mailto:lisa.gilmore@gsa.gov)
Date: 9/17/2013 6:35:00 PM
Subject: Advice?

Dave & Lisa -

Thank you for your time today.

NCD's Administration & Finance (A&F) Committee is convening tomorrow morning at 9 eastern. The Chair of that Committee is Gary Blumenthal, copied here.

An agenda item is to update for the record the Committee on the issues leading to the excess unspent funds in FY '13.

Normally, the report out to the Committee about the status of funds would be made by Sylvia. However, I asked Gary to hold until we can consult with GSA. In discussions with Gary, Sylvia has blamed others particularly Rebecca about the situation. We have had a different experience in which Gary did his very best to have Sylvia work collaboratively to no avail.

I am concerned about the risk of the Committee being misinformed by Sylvia about what actually occurred and that misrepresentation becoming part of the record.

Your advice to us about how to handle would be appreciated.

If its easier, Gary's cell number is 617-(b) (6)

We appreciate your assistance with this.

-Jeff

(b) (5)

Non-Responsive

(b) (5)

(b) (5)

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [Lisa Brown-Gilmore - CPWA](#)
Date: 10/20/2013 6:57:20 PM
Subject: FW: Wrongful Termination of (b) (6) by Jeff Rosen
Attachments: Nelson MSPB Appeal.docx

fyi.

From: Jeff Rosen
Sent: Sunday, October 20, 2013 6:56 PM
To: NCD-Board-Members
Cc: Rebecca Cokley
Subject: FW: Wrongful Termination of (b) (6) by Jeff Rosen

With respect to (b) (6) communication to the Board, it may be helpful to know the following:

Sylvia, (b) (6) supervisor at that time, learned that (b) (6) had pled guilty to a felony involving federal funds which occurred outside of NCD. Sylvia reported the matter to GSA HR/legal and worked with them to place (b) (6) on administrative leave and her notice of termination.

(b) (6) appealed the termination to me as the agency head. She did not present any new information on appeal and thus I sustained the termination.

GSA legal is providing full support to NCD in handling the MSPB claim.

NCD is closely working with GSA in support of its HR, legal and financial issues.

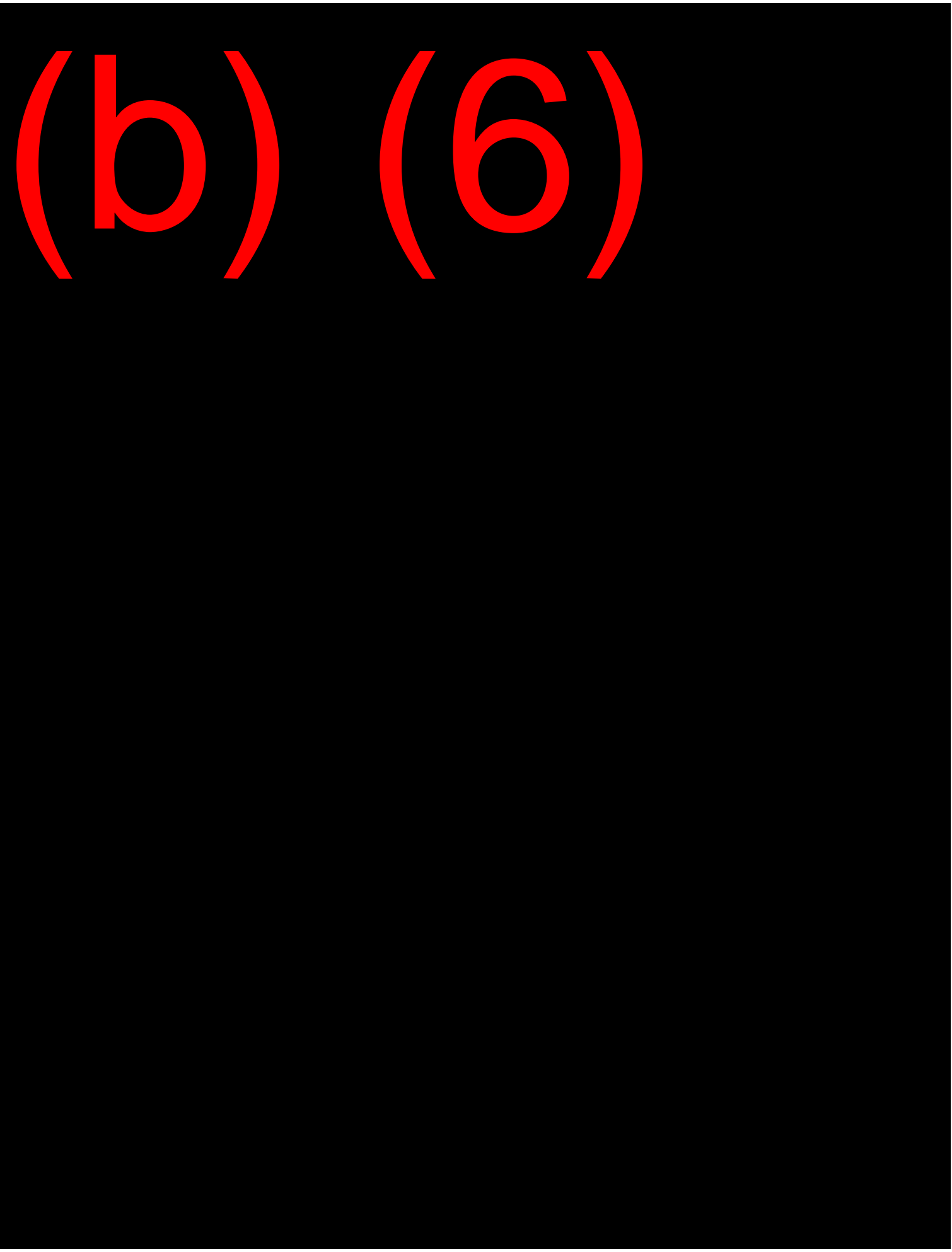
We have also made GSA HR directly available to all NCD staff if needed.

Please do not hesitate to discuss any questions with Rebecca, any member of the NCD Executive Committee or myself.

-Jeff

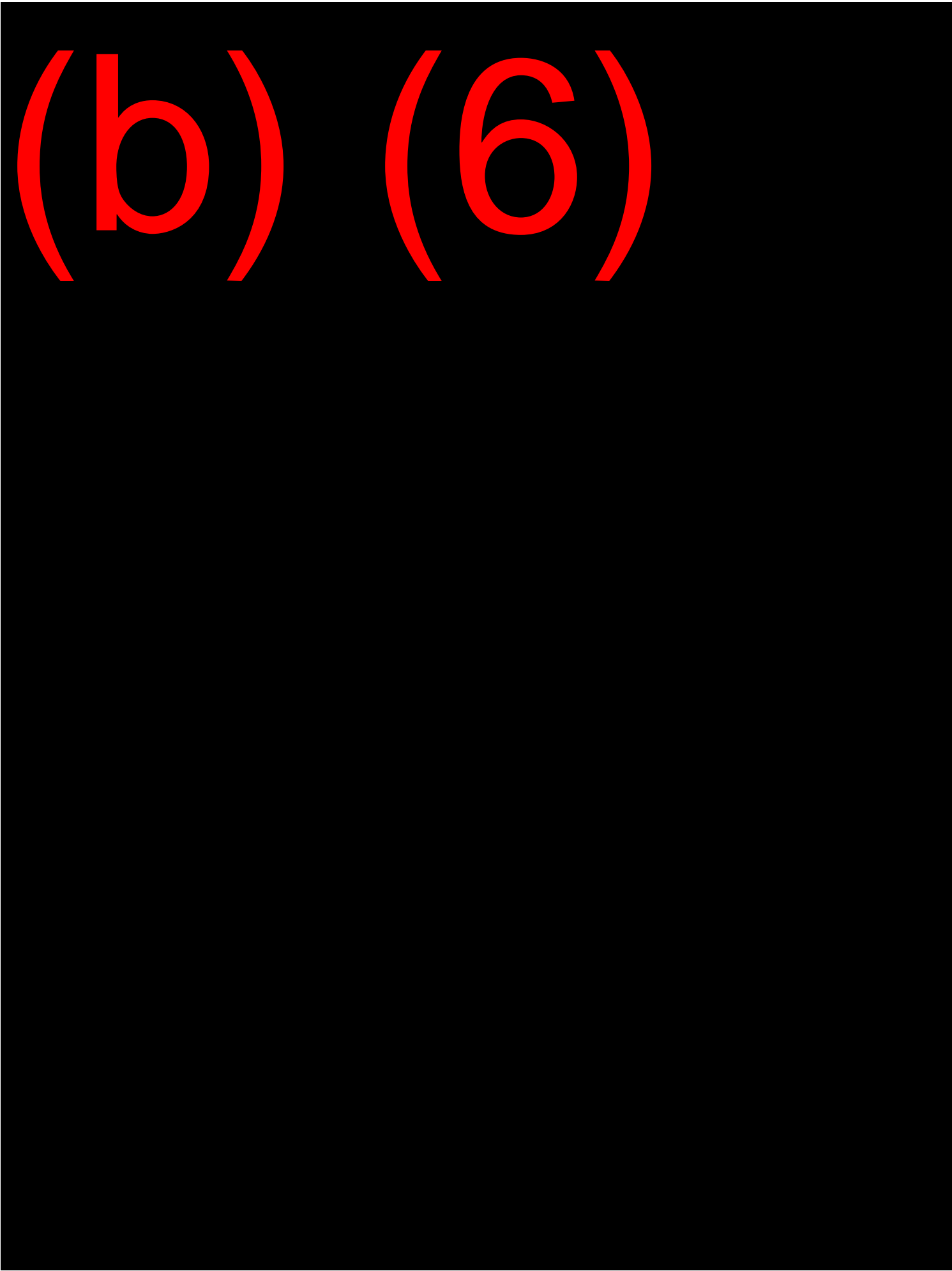
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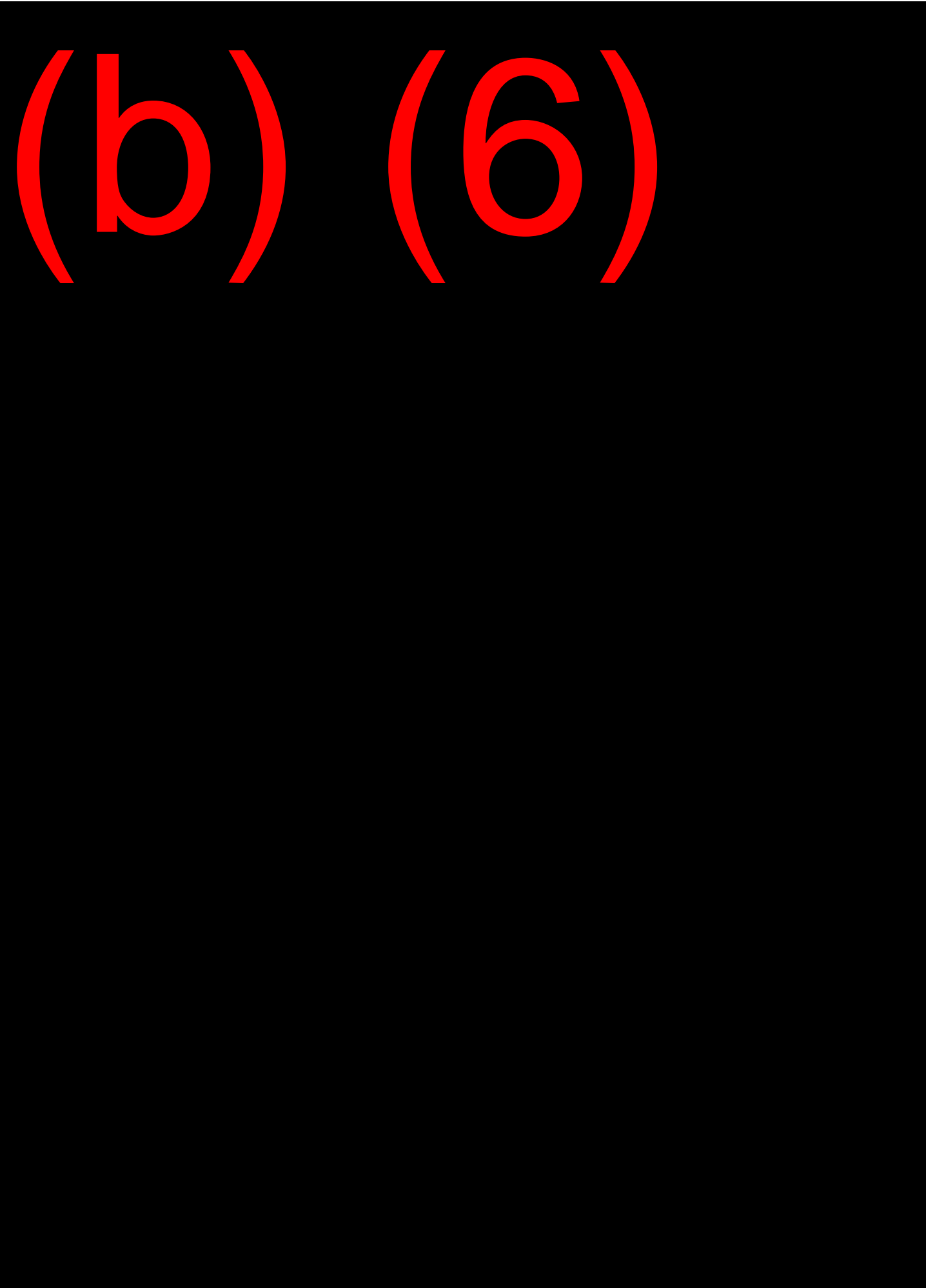
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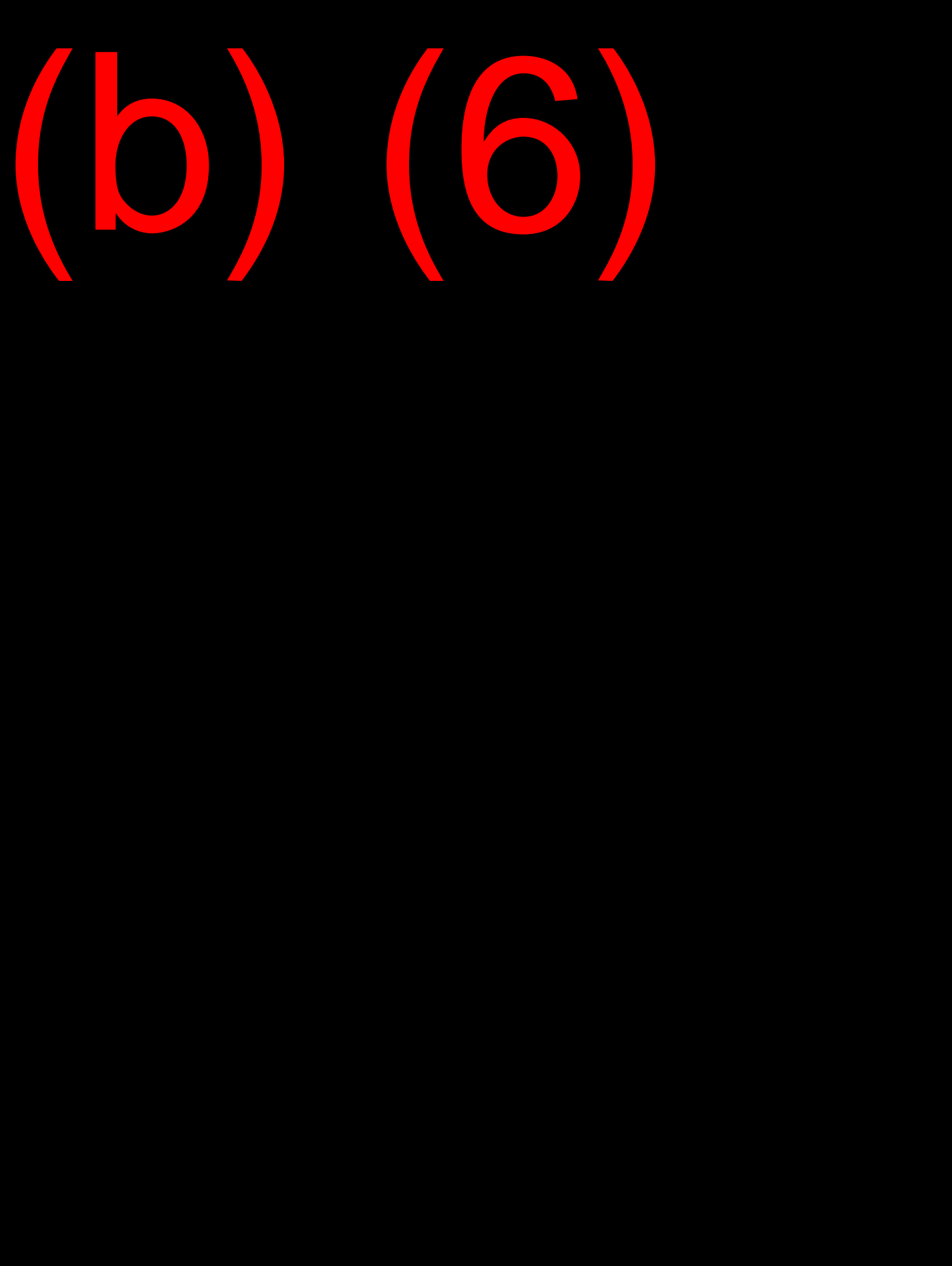


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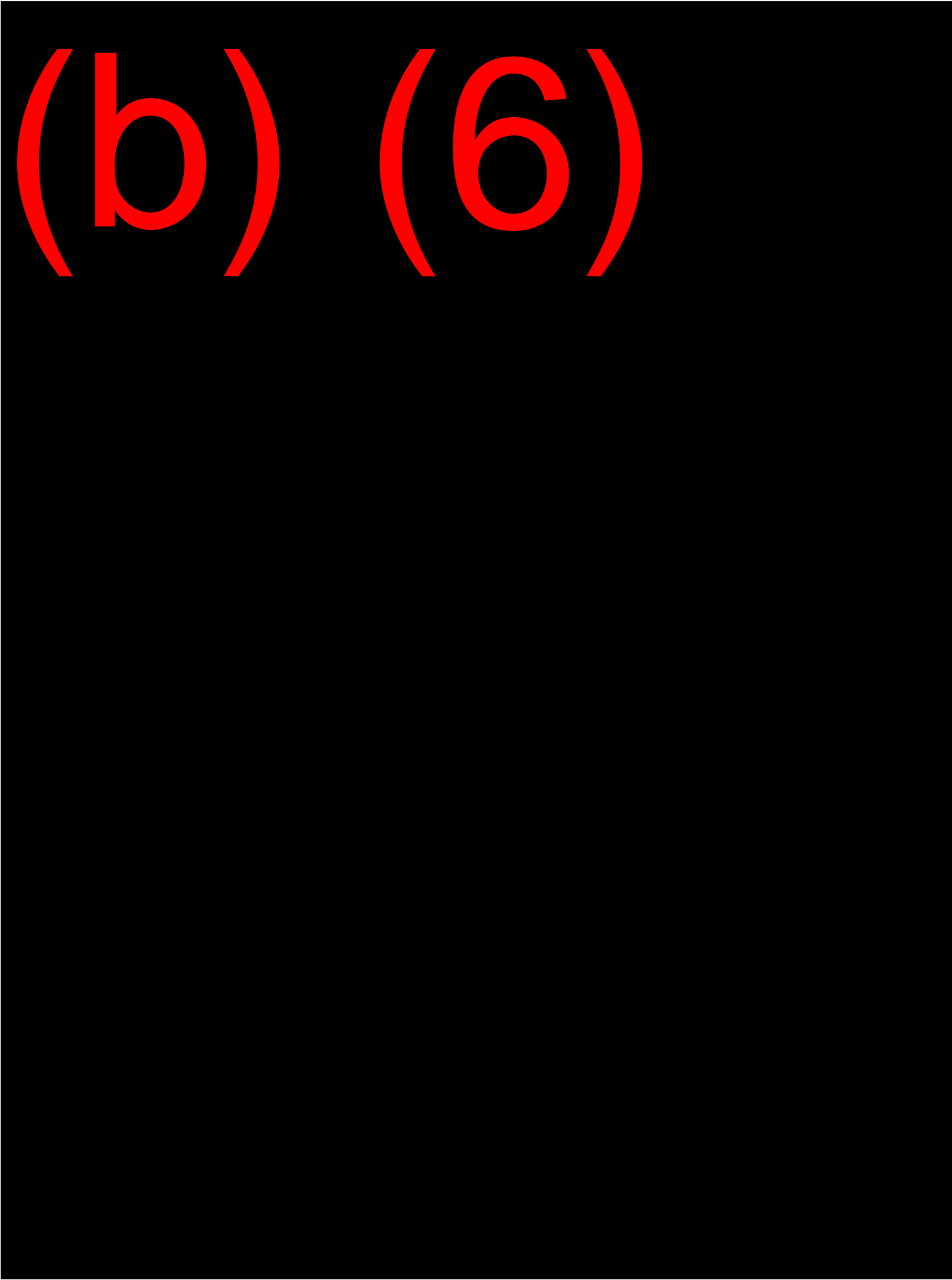
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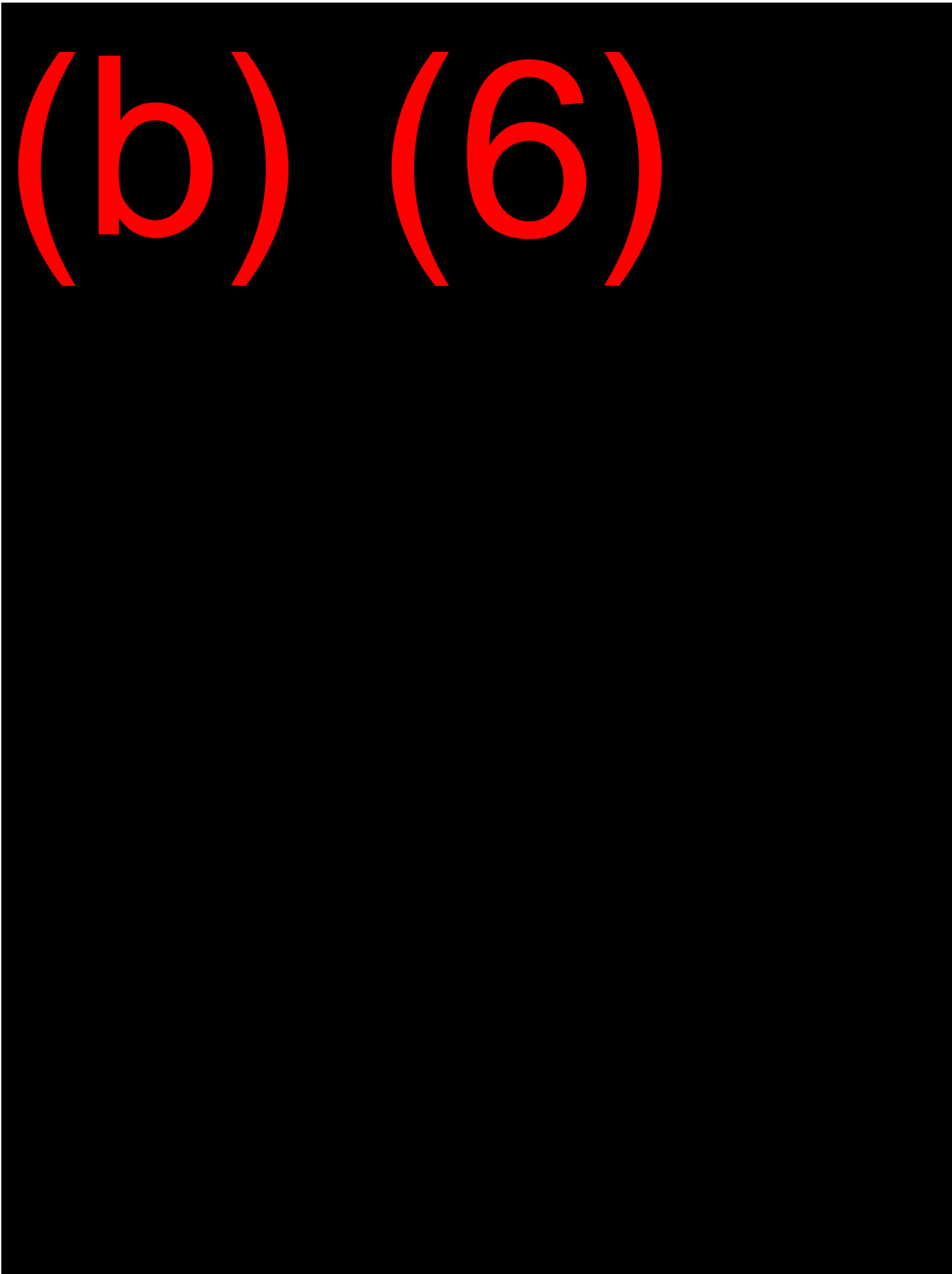


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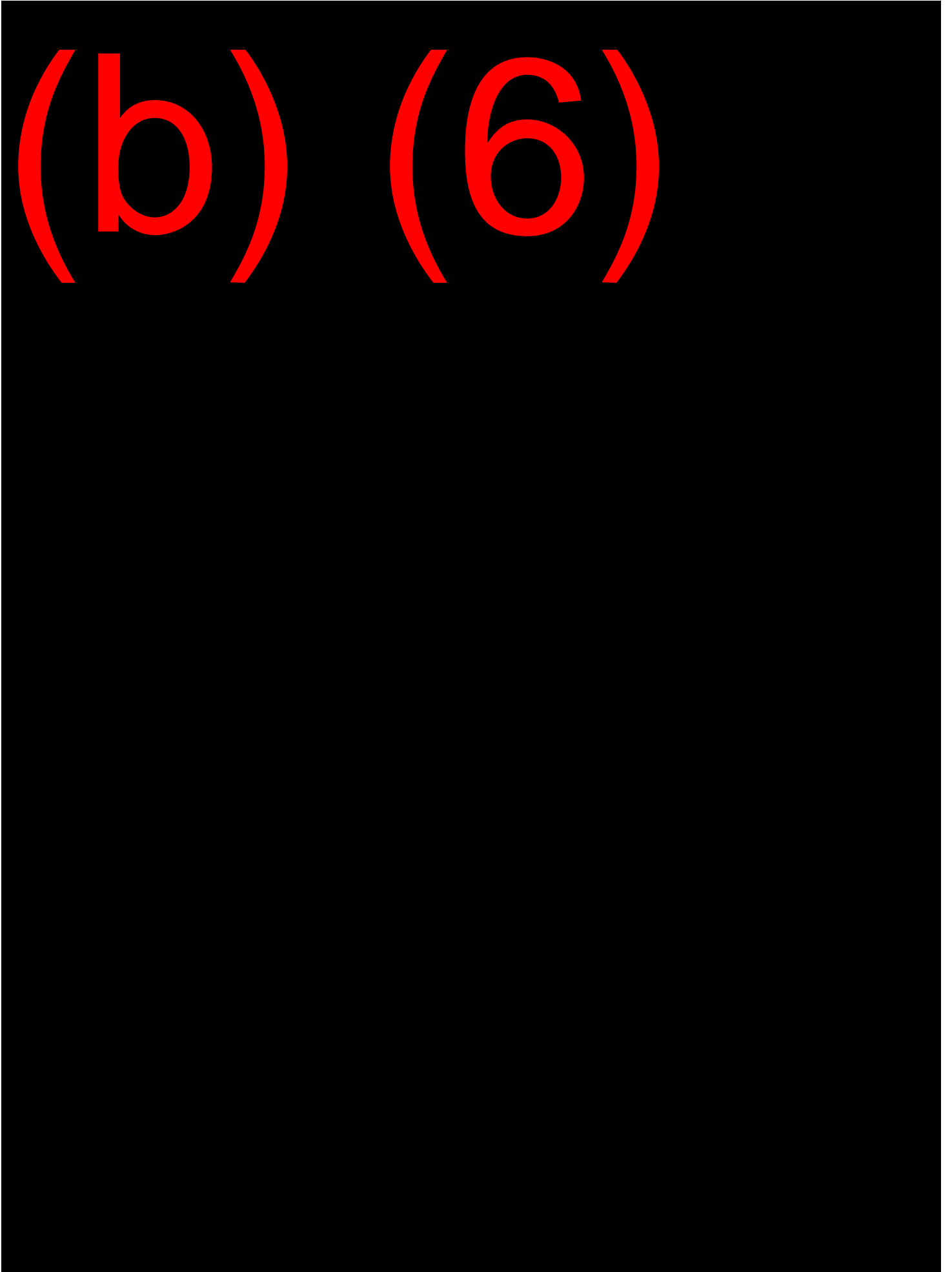
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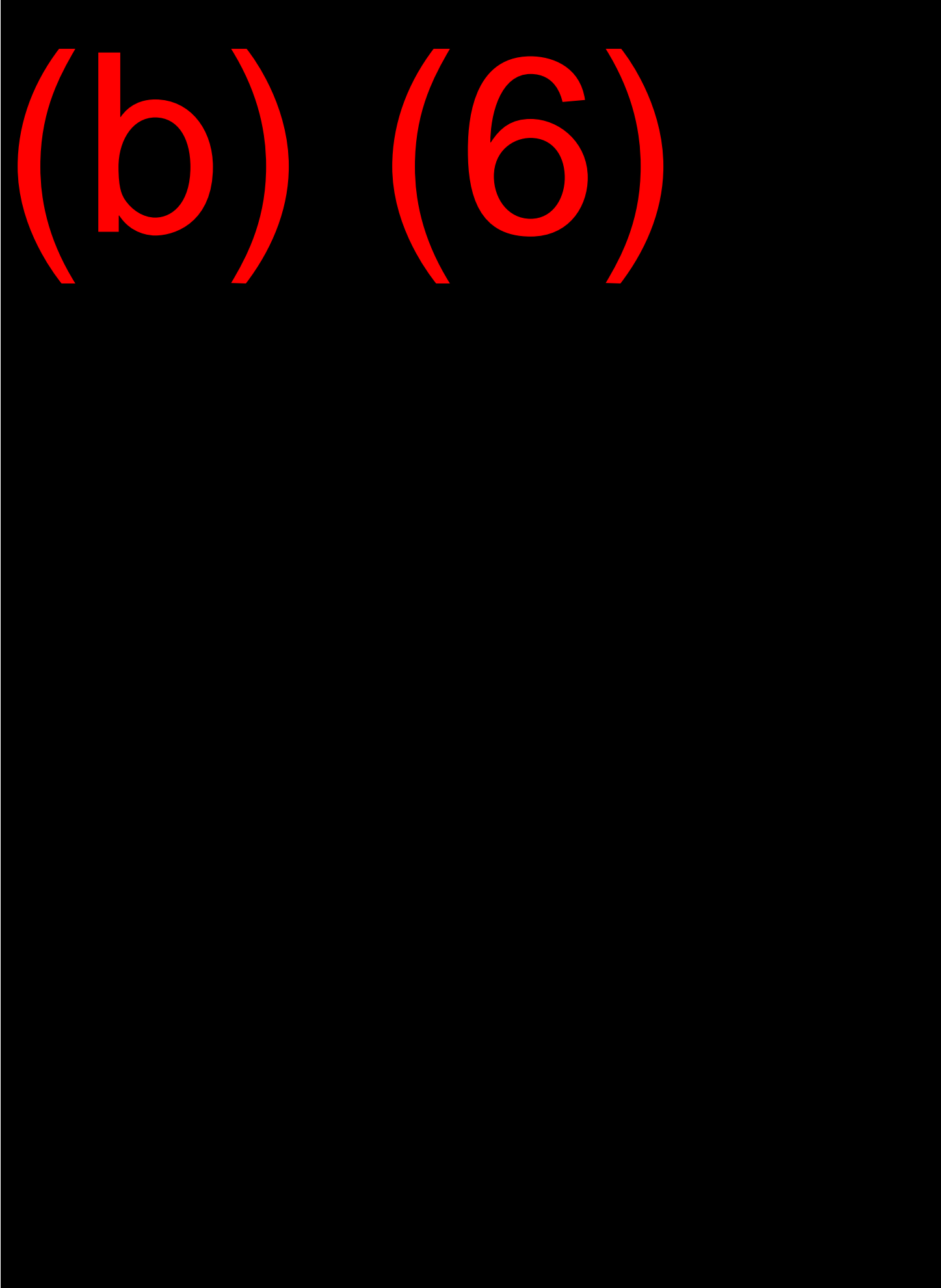


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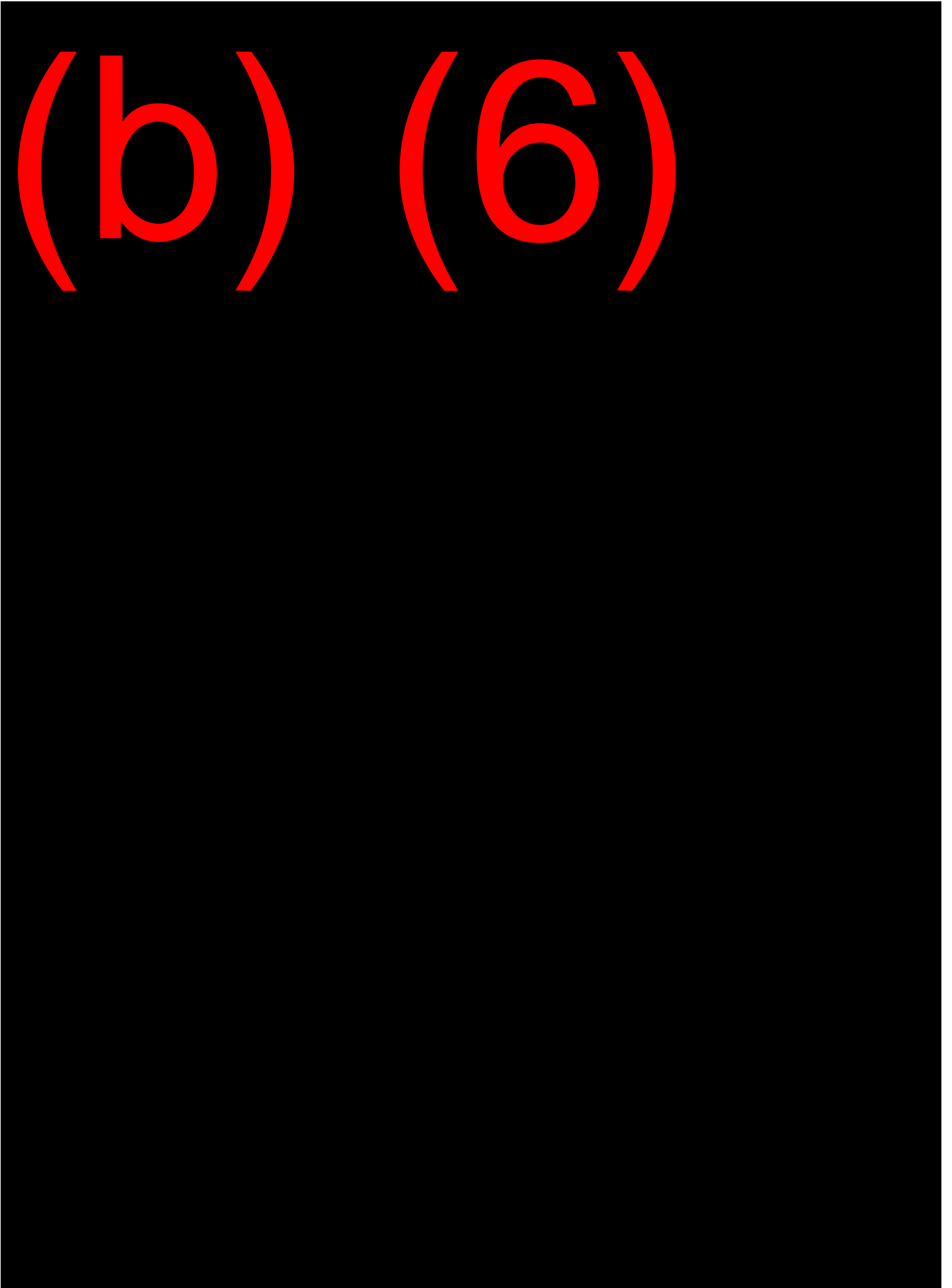
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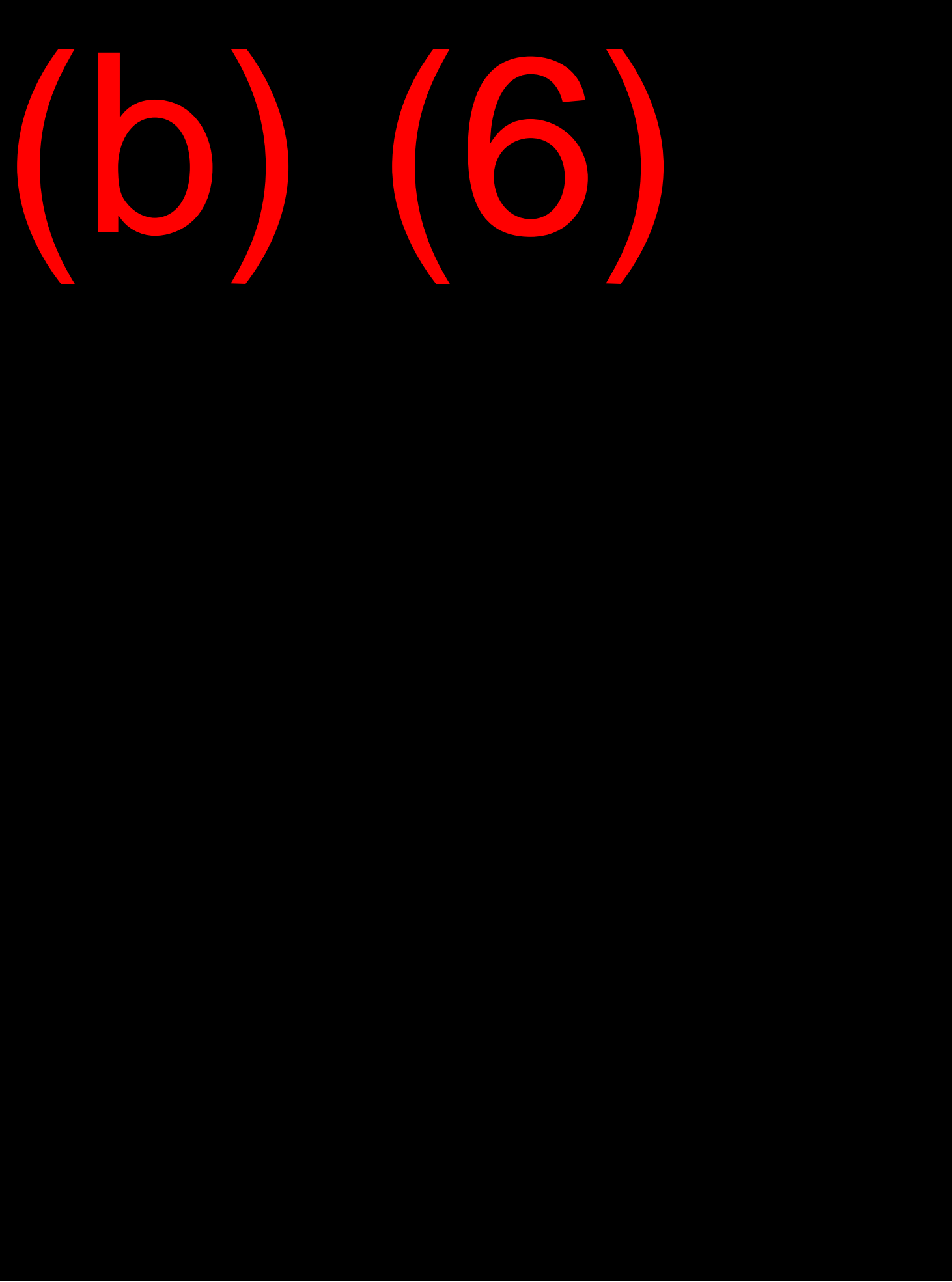


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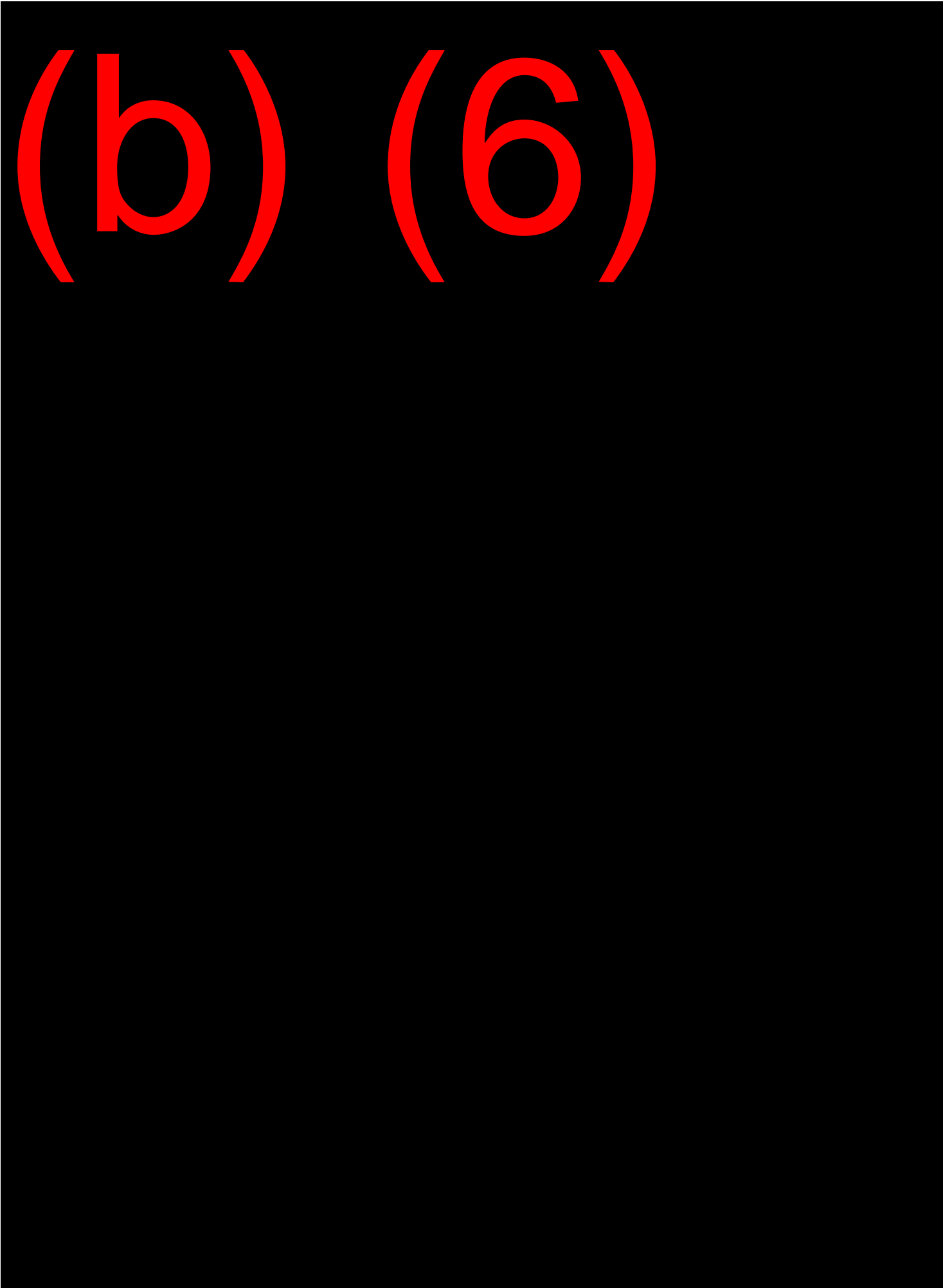
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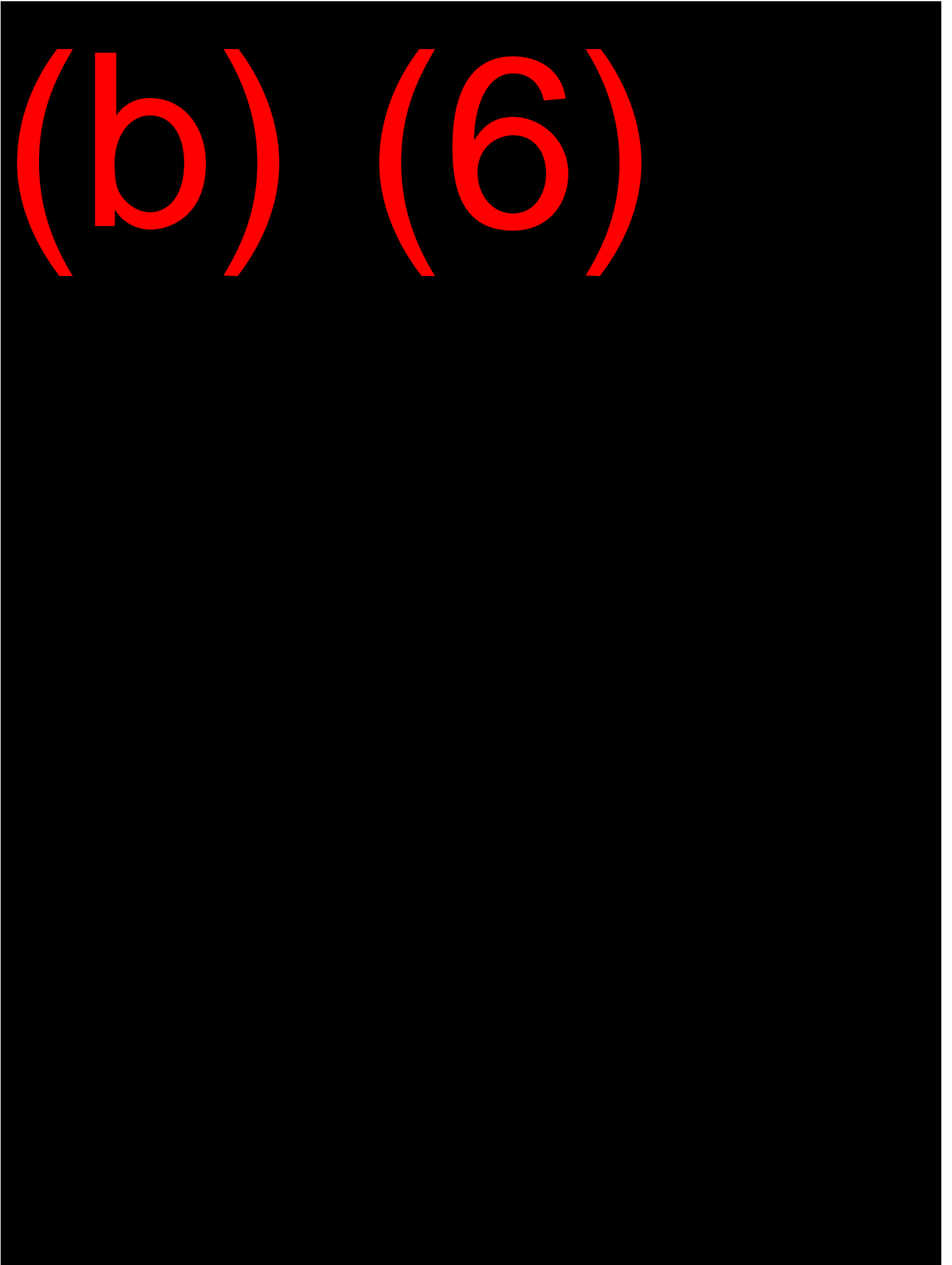


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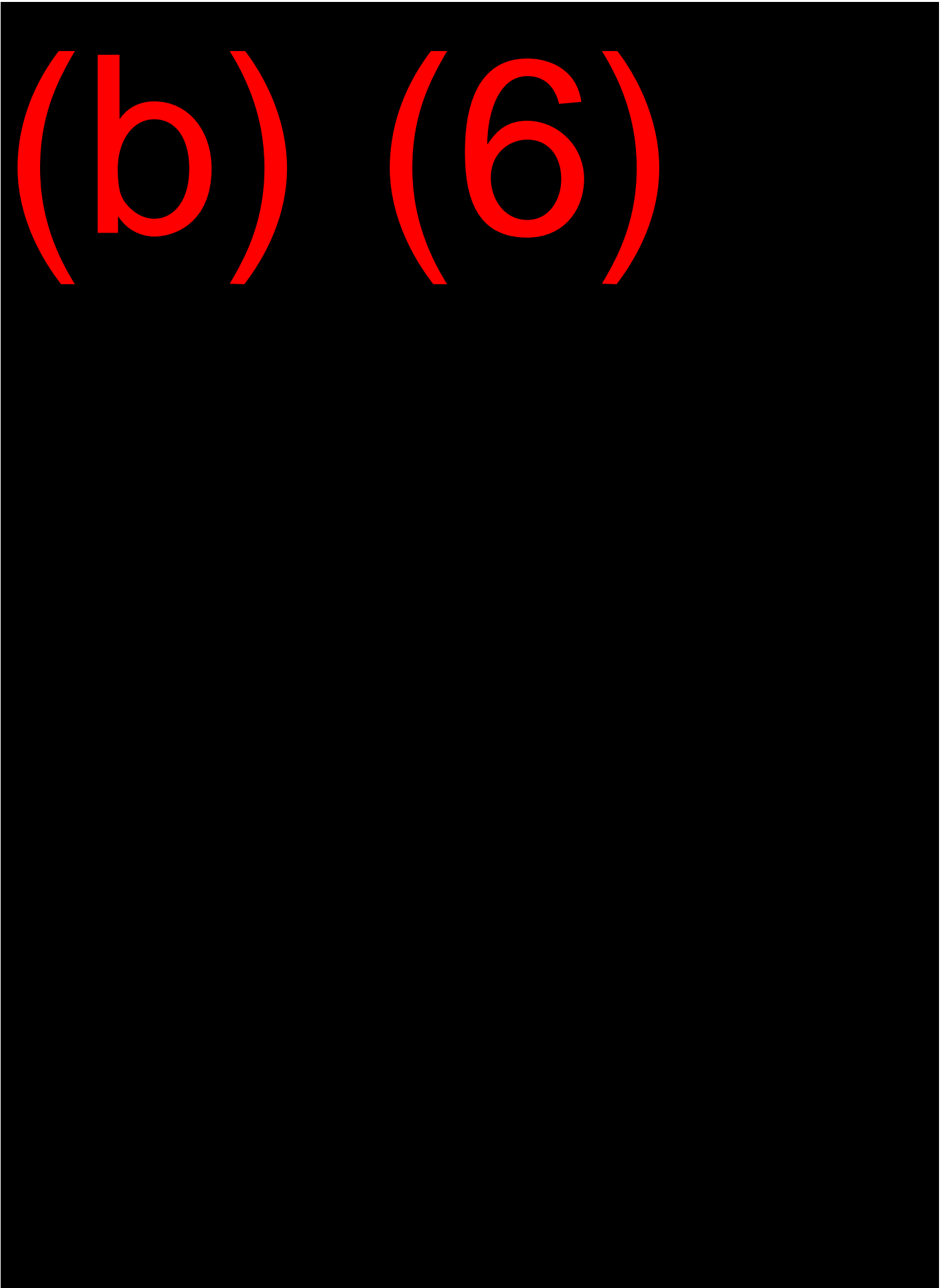
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From: [Jeff Rosen <jrosen@ncd.gov>](mailto:Jrosen@ncd.gov)
To: [David Allen - WPG-C](#)
[Lisa Brown-Gilmore - CPWA \(lisa.gilmore@gsa.gov\)](mailto:lisa.gilmore@gsa.gov)
Date: 9/20/2013 3:16:54 PM
Subject: FW: Admin issues

Thank you for your input Lynnae and Gary.

I am looping in Dave & Lisa and keeping Lynnae and Gary so we can have closure on this discussion.

We will move forward with the action that Rebecca approved. We will proceed to assign the two administration positions to be filled (Financial Analyst and Administrative Specialist) to report directly to the Executive Director. The Director of Administration will maintain all of her current duties, including financial management.

Dave and Lisa, how do we effectuate that reporting structure? In addition, I want to make sure that the Financial Analyst position is not filled without the ED's signature.

Going forward, I would like to confer with someone regarding NCD's structure so we can prepare some options for Rebecca to help us consider when she returns. Does GSA have someone who can advise us about organizational/structural issues? Or can GSA direct us to a resource for that type of support?

-Jeff

From: Gary Blumenthal
Sent: Friday, September 20, 2013 1:26 PM
To: Lynnae Ruttledge; Jeff Rosen
Subject: RE: Admin issues

GSA is likely to provide us with additional administrative support however keeping Sylvia in her post or employed at NCD is untenable.

I do think we may want to continue with her assigned with current duties to allow us to build an airtight case for dismissal since I don't see the situation getting any better.

I am fearful that the negative climate at NCD that she seems to be at the center of will result in our possibly losing key employees. I am very worried about losing Becca, Anne and Lawrence who are likely to be highly employable in and outside of our community. The internal dysfunction currently present is known beyond our small circle. I believe that the current structure of having a Director of Administration has failed. I would like to abolish that position and let Becca rebuild with a structural design of her own and let her make a new hire of a deputy, administration or whomever.

Gary

From: Lynnae Ruttledge
Sent: Friday, September 20, 2013 1:12 PM
To: Jeff Rosen; Gary Blumenthal
Cc: Rebecca Cokley
Subject: RE: Admin issues

Hi Jeff and Gary: thanks Jeff for asking for our 'wisdom' on this thorny personnel issue.

First and foremost, like you, I want to assure that NCD has the governance, organizational structure and staff to function effectively. I'm sorry I didn't make it to the meeting Tuesday afternoon for the strategy discussion.

Putting aside the on-going issues with Sylvia, functionally the organizational structure that we have should work. It's not rocket science; we are a small organization with many good staff. But working well requires that the management team functions as a team, taking direction from the Executive Director and not undermining her or Council leadership. We as Council leadership should not micro-manage the day-to-day operations; we should be providing policy guidance and building the capacity of NCD through our members efforts and our partner collaborations.

Clearly that is not the case now.

In the proposed new reporting scheme, I'm not clear what we will be expecting Sylvia to do and how we see her role functioning. Given that we have no Interim Director, I would strongly caution against making any of the proposed changes until Rebecca is back. We don't want to further exacerbate the situation or undermine Rebecca's role. But as you noted Jeff, Sylvia's conduct has been unacceptable and is more and more a detriment rather than an asset to NCD. I realize the dynamics of due process in the disciplinary procedures; we may be forced to wait to take action until she again is disruptive.

Is GSA able to provide us with additional support - now and as we work to build a more effective administrative structure? We need someone on-site that can support/mentor/coach Rebecca. Someone that can assist her and us to communicate our expectations to staff and build a culture that will result in a more effective organization that functions with integrity.

Those are my thoughts. No easy answers.

Lynnae

From: Jeff Rosen
Sent: Thursday, September 19, 2013 7:14:39 PM
To: Lynnae Ruttledge; Gary Blumenthal
Cc: Rebecca Cokley
Subject: FW: Admin issues

Lynnae & Gary -

I would like your wisdom here.

Based on our conversation earlier this week in which it was insisted that we take affirmative steps in dealing with the risks posed by the lapse of support from Sylvia, it was agreed that the 2 forthcoming hires in the financial department would report directly to Rebecca instead of Sylvia to better protect the integrity of NCD's financial management. I talked about going even further and reassigning all financial management duties from Sylvia to people under the ED's supervision to reduce the exposure NCD has experienced to ongoing challenges by Sylvia. Dave's recommendation (which Rebecca has diligently followed) is to maintain with Sylvia her financial duties while proceeding to move the 2 hires directly under Rebecca.

Frankly I am apprehensive about taking what I consider a partial measure which I think will continue the unacceptable issues and resulting drag/liabilities caused by Sylvia. You can prognosticate what is likely to occur better than anyone based on what you've seen so far. Personally, I have no doubt that we will eventually need to

reassign Sylvia's financial responsibilities.

However, an incremental approach may be the best way to go at this point given the lack of readily available staff. I also intend to soon convene a small work group to review NCD's infrastructure and provide recommendations.

It was my intent all along to preserve status quo during Rebecca's absence. However I don't think we will have the ability to wait until her return but will be required by circumstances to do something. I told Dave I'm totally done with the defensive crouch given the toll that approach has inflicted, we will take proactive steps going forward. I also think its appropriate to provide Rebecca additional support for what is clearly a highly atypical situation.

I would appreciate any feedback you may have before I provide Dave guidance about how we would like to proceed.

Thanks.

-Jeff

From: David Allen - WPG-C <david.allen@gsa.gov>

Sent: Thursday, September 19, 2013 12:45 PM

To: Jeff Rosen

Cc: Rebecca Cokley; Lisa Brown-Gilmore - CPWA

Subject: Re: Admin issues

The subordinates reporting to Rebecca would keep her informed of the day-to-day problems being encountered and delays occurring. This would allow those situations to be addressed earlier.

Yes this will continue to take time and energy to deal with.

In the interim, you could partially rely on Gary, and/or could look to GSA to assist, by working with Tom Hodnett, I believe. Of course you would have to also remain actively involved as you have been today in giving direction/orders.

Despite the pain to the Council and Rebecca, this would still be my recommendation.

On Thu, Sep 19, 2013 at 12:06 PM, Jeff Rosen <jrosen@ncd.gov> wrote:

Dave -

Help me understand what the additional oversight would consist of?

My concern has been that Sylvia has done nothing but the bare minimum (if we can call it that) of financial management. More than that, Sylvia has made numerous objections about financial matters without doing anything to support their resolution. Its take far more time to manage her than the underlying issues. Not only has that has greatly harmed NCD in terms of its sound financial management but has created a great drain in that Rebecca has done little else except try to manage Sylvia. That has spilled over to Council members to have to help manage Sylvia, more acutely in Sylvia's absence.

Given the above, what exactly is the recommendation?

On a logistical level, if we proceed to retain Sylvia's financial management duties, how do we maintain appropriate support during Rebecca's absence and the two positions are not filled until likely December at the earliest. Do we direct her to continue with a temp? How will the appropriate oversight occur in the interim?

Thanks for helping us think through this.

As for the PD, any suggestions about how to find that information in Rebecca's absence, do we ask OPM? I don't know the contact person there. The organizational chart is basically:

http://www.ncd.gov/council_and_staff/ncd_staff

-Jeff

From: David Allen - WPG-C <david.allen@gsa.gov>
Sent: Thursday, September 19, 2013 11:23 AM
To: Jeff Rosen; Rebecca Cokley; Lisa Brown-Gilmore - CPWA
Subject: Fwd: Admin issues

I guess that Rebecca did not get a chance to talk to you. (See this email traffic)

I believe we left the meeting with a different understanding. Both Rebecca and I believed Sylvia would retain her financial management responsibilities but with additional oversight and no subordinates.

The additional oversight would prevent what happened this year while retaining her obligation to perform at her current grade level. The 2 employees would provide support for her but also keep Rebecca well informed of all activities and potential problems.

If that is not how you wish to proceed please let me know, but it is my recommended course of action.

I may be able to assist in developing this action, if you need it. I had asked Rebecca for a copy of Sylvia's PD and critical elements and would still need that along with a current org chart.

My phone number is [202-690-9475](tel:202-690-9475) and you have my email

----- Forwarded message -----

From: **Rebecca Cokley** <rcokley@ncd.gov>
Date: Wed, Sep 18, 2013 at 6:25 AM
Subject: Re: Admin issues
To: David Allen - WPG-C <david.allen@gsa.gov>
Cc: Lisa Brown-Gilmore - CPWA <lisa.gilmore@gsa.gov>

You and I are on the same page. I will talk to him this morning.

Rebecca

Sent from my iPhone

On Sep 18, 2013, at 6:16 AM, "David Allen - WPG-C" <david.allen@gsa.gov> wrote:

I think Jeff came out of the meeting with a different understanding than I did. Hopefully you agree with me.

First you and I were to work together on your plan to realign duties and positions

Next, I did not mean to take the financial management responsibilities entirely away from Sylvia. We were

going to take the two people away and have them report to you. They would support Sylvia in her financial role, but could provide you with the information to avoid another situation such as the one that just occurred. (Could you send me a copy of Sylvia's PD and critical elements.)

I this was not your understanding, I apologize.

I am available to discuss this at your convenience.

----- Forwarded message -----

From: **Jeff Rosen** <jrosen@ncd.gov>

Date: Tue, Sep 17, 2013 at 7:38 PM

Subject: Admin issues

To: David Allen - WPG-C <david.allen@gsa.gov>, "Lisa Brown-Gilmore - CPWA (lisa.gilmore@gsa.gov)" <lisa.gilmore@gsa.gov>

Cc: Rebecca Cokley <rcokley@ncd.gov>

Dave & Lisa -

Now that NCD has made a commitment to reassign its financial management from the Director of Administration to better handle NCD's needs in the aftermath of the \$200,000+ excess unspent FY '13 funds and the ongoing issues with payment of NCD's expenses, I want to work through a few issues.

It's likely that NCD like all other federal agencies will be on CR (or a sequestration) at the outset of FY '14. NCD will be making some expenditures in early October when it meets in Kansas on 10/7-8. Given the lack of timely support we receive from Sylvia on the necessary financial information, I'm very concerned that about the consequential risk to NCD by overspending its allocation and placing it in an anti-deficiency violation, which the ED must report to Congress by law.

As an immediate step to reduce NCD's exposure to risk, I suggest the Director of Administration's financial management duties to be reassigned to the ED effective upon NCD's Executive Committee approval. I suggest GSA's financial department take over any interim financial support needs under the supervision of the Chair of the Administration and Finance Committee during Rebecca's leave. Rebecca can hire the 2 new financial support positions upon her return.

Thank you for working up a plan to go into effect by the end of this month.

-Jeff

--

Dave Allen

Employee Relations Specialist

301 7th Street SW

Room 1619

Washington, DC 20407

David.Allen@GSA.gov

[202-690-9475](tel:202-690-9475)

FAX [202-205-2546](tel:202-205-2546) (Please call or email if faxing so that I can retrieve it)

--

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--

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FAX 202-205-2546 (Please call or email if faxing so that I can retrieve it)

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [David Allen - WPG-C](#)
[Lisa Brown-Gilmore - CPWA \(lisa.gilmore@gsa.gov\)](mailto:lisa.gilmore@gsa.gov)
Date: 9/20/2013 7:10:06 AM
Subject: FW: Julie's hours

From: Julie Carroll
Sent: Friday, September 20, 2013 4:34 AM
To: Sylvia Jones
Cc: Rebecca Cokley; Jeff Rosen
Subject: Julie's hours

Sylvia,

I am still uncertain about how to report my hours from here. Please let me know about the telework hours I have worked since I have been in N.J.

September 19 is 8 hours of paid administrative leave and September 20 is 4 hours of paid administrative leave and 4 hours of annual leave.

Julie

Non-Responsive

(b) (5)

(b) (5)

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [Lisa Brown-Gilmore - CPWA](#)
[Rebecca Cokley](#)
Date: 9/30/2013 4:30:50 PM
Subject: Re: FPS Officers...

Jackie and Lisa - thanks for taking the call today. one of the officers name was Robert Dyer, DHS.
202 245 2555 tel 202 359 8499 cell.
-Jeff

Lisa Brown-Gilmore - CPWA <lisa.gilmore@gsa.gov> wrote:

Rebecca,

This is Sylvia's interpretation. Sylvia was not accused of anything. As I said to her during today's phone call, had she cooperated by responding to your and Jeff's questions there would not have been a need for FPS's involvement. I'm sure that everyone in the Council is familiar with her behavior.

On Mon, Sep 30, 2013 at 3:55 PM, Rebecca Cokley <rcokley@ncd.gov> wrote:

I take it I should not respond?

I am concerned with her constantly emailing the Council.

RC

Sent from my iPhone

Begin forwarded message:

From: Sylvia Jones <sjones@ncd.gov>
Date: September 30, 2013 at 3:45:51 PM EDT
To: Rebecca Cokley <rcokley@ncd.gov>, Jeff Rosen <jrosen@ncd.gov>
Cc: NCD-Board-Members <NCD-Board-Members@ncd.gov>, Sylvia Jones <sjones@ncd.gov>, "antonia.harris@gsa.gov" <antonia.harris@gsa.gov>
Subject: FPS Officers...

Rebecca,

This email is to document that you and Jeff Rosen made a very serious, false, and slanderous allegation against me and my husband to GSA Human Resources (*employee relations*) and GSA in return instructed Jeff to come to the NCD office and have security on stand by.

My husband and I were humiliated and confronted by two armed FPS officers accompanied by Jeff Rosen simply because my husband came for a visit to take me to lunch. Your husband, as well as your child has been a constant visitor in the NCD office and noone has contacted FPS on them. This was an act of intimidation and bullying in the workplace and you are hereby advised that my husband and I will be seeking legal action in this matter.

This incident was also a very serious act of discrimination and retaliation in the workplace and the incident will be reported to the appropriate government officials.

Sylvia

--

Lisa Gilmore
Human Resources Specialist (Employee Relations)
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Employee Relations Branch-CPWA
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202-205-4929 Desk
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https://docs.google.com/a/gsa.gov/forms/d/1nhjCN6rnQLHds76fKF2MsLyLHchZpKL7e_LIZjNJr0/viewform

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jjrosen@ncd.gov)
To: [Rebecca Cokley](#)
[Lynnae Ruttledge](#)
[Kamilah Martin-Proctor](#)
[Gary Blumenthal](#)
[Gary Blumenthal](#)
[Jonathan Kuniholm](#)
[Stephanie Orlando](#)
[Clyde Terry](#)
[Clyde Terry](#)
tvoth@gsil.org
[Terri Voth](#)
[Sara Gelser](#)
Date: 10/28/2013 10:58:52 AM
Subject: RE: Today's call

Thanks Rebecca.

One more agenda item, which is a report from the A&F Chair regarding FY '13 and FY '14 funds as well as any other financial management issues.

As I will note at the outset of the call, Jon and Sara are in a listen mode only. NCD bylaws require that any quorum of the Council (8 members) must be conducted in accordance with the Government in Sunshine Act. Thus, Jon and Sara will be requested to not participate in any deliberations or voting during that meeting to ensure that we do not have any perception issues.

-Jeff

From: Rebecca Cokley
Sent: Monday, October 28, 2013 10:19 AM
To: Jeff Rosen; Lynnae Ruttledge; Kamilah Martin-Proctor; Gary Blumenthal; Gary Blumenthal; Jonathan Kuniholm; Stephanie Orlando; Clyde Terry; Clyde Terry; tvoth@gsil.org; Terri Voth
Cc: Lisa Brown-Gilmore - CPWA
Subject: Today's call

When: Today at 1pm EST

Call-in number is 1-877-446-3914, passcode 538085

- 1) Call to order
- 2) September minutes
- 3) GSA presentation on HR matters
- 4) Executive Director's report on organizational plan of action
- 5) Council Special Session
- 6) Independent Assessment of Workplace
- 7) Noting for the record rescheduled Council Kansas quarterly meeting
- 8) Adjourn

Sent from my iPad

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [Lisa Brown-Gilmore - CPWA](#)
Date: 9/30/2013 1:24:28 PM
Subject: RE: Sylvia's Husband

Rebecca - Can you ask security to meet me at the lobby at 230? Thanks.
-Jeff

From: Jeff Rosen
Sent: Monday, September 30, 2013 1:21 PM
To: Lisa Brown-Gilmore - CPWA
Cc: Rebecca Cokley; David Allen
Subject: RE: Sylvia's Husband

Ok, I will be there at 230 then.

From: Lisa Brown-Gilmore - CPWA <lisa.gilmore@gsa.gov>
Sent: Monday, September 30, 2013 1:21 PM
To: Jeff Rosen
Cc: Rebecca Cokley; David Allen
Subject: Re: Sylvia's Husband

Jeff,

I do recommend that you physically go to NCD along with Security. Please ask her what she is working on. It sounds like Sylvia is creating a hostile work environment and it would be a good idea to send her home for the remainder of the day.

On Mon, Sep 30, 2013 at 1:15 PM, Jeff Rosen <jrosen@ncd.gov> wrote:
Awaiting Lisas counsel here.

-Jeff

From: Rebecca Cokley
Sent: Monday, September 30, 2013 1:10 PM
To: Jeff Rosen
Cc: Lisa Brown-Gilmore - CPWA; David Allen
Subject: Re: Sylvia's Husband

Just got a call from staff...they're seriously getting shook up by everything. Ms. Jones has gone into the offices of both Nick and Anne and accused them of calling me to let me know about her husband being there and is apparently loudly talking about hostile environment, the fact that she's being treated disparately, etc....

RC

Sent from my iPad

On Sep 30, 2013, at 1:07 PM, "Jeff Rosen" <jrosen@ncd.gov> wrote:

Thanks for the follow up Rebecca.

Lisa, I am concerned that a visit to NCD office will escalate things out of control on their end. My wife will think me a fool but Im not so concerned about my personal safety as I am about provoking a hostile response.

In my view, any damage has already been done in the several hours this morning. No staff person is feeling concerned about their physical safety. For the purposes of administrative discipline, its established that Sylvia defied direction by her superior today.

I would like us to consider whether I should continue to go to the office or that we should handle this through administrative channels. Something off is going on there and Im wary about setting foot and getting caught up in whatever they got going on. I think we should consider approaching this another way.

As for her husband, we can call Federal protection service and ask that he leave the premises.

-Jeff

From: Rebecca Cokley
Sent: Monday, September 30, 2013 12:30 PM
To: Jeff Rosen
Cc: Lisa Brown-Gilmore - CPWA; David Allen
Subject: Re: Sylvia's Husband

Jeff

to recap: I spoke with Sylvia at 12:15 and after putting me on speakerphone she confirmed that the individual in her office was her husband, and she refused repeatedly to tell me what she was working on, citing that I was on leave and not in a position to ask her. I asked her to call me back after she goes on lunch with her husband and she repeatedly refused, telling me that she didn't need to call me back because I was on leave.

[1-877-437-7411](tel:1-877-437-7411) is the number for the Federal Protective Service

RC

Sent from my iPad

On Sep 30, 2013, at 12:24 PM, "Jeff Rosen" <jrosen@ncd.gov> wrote:

I checked with some interpreters and no one is available this afternoon.

I'm continuing to look around. Please keep me posted about any developments in the meantime.

From: Lisa Brown-Gilmore - CPWA <lisa.gilmore@gsa.gov>
Sent: Monday, September 30, 2013 12:15 PM
To: Jeff Rosen
Cc: Rebecca Cokley; David Allen
Subject: Re: Sylvia's Husband

Jeff and Rebecca,
Please keep all emails from employees regarding this incident. We just spoke to Rebecca and she is

calling Sylvia now. At any rate, Jeff please go to NCD to follow up on everything. Thanks

On Mon, Sep 30, 2013 at 12:01 PM, Lisa Brown-Gilmore - CPWA <lisa.gilmore@gsa.gov> wrote:
Rebecca, can you call Sylvia and find out what is going on? If she does not pick up, call another employee and have them tell Sylvia to call you immediately. If that does not occur, please have security escort Sylvia and her husband from the office. Make sure that they take Sylvia's badge and keys. Thanks

On Mon, Sep 30, 2013 at 11:56 AM, Jeff Rosen <jrosen@ncd.gov> wrote:
I am willing, but it will take me an hour to get to DC.

Can we ask a Federal marshal or someone like that to immediately go in? That will help secure the situation until I get there.

Please advise.

Thanks.

-Jeff

From: Lisa Brown-Gilmore - CPWA <lisa.gilmore@gsa.gov>
Sent: Monday, September 30, 2013 11:53 AM
To: Rebecca Cokley
Cc: David Allen; Jeff Rosen
Subject: Re: Sylvia's Husband

Jeff,

Can you please go over to NCD with an interpreter to find out exactly what is going on You should have security on hand in case there is any inappropriate behavior. Thanks

On Mon, Sep 30, 2013 at 11:34 AM, Rebecca Cokley <rcokley@ncd.gov> wrote:
Lisa

I've been contacted by 3 staff about this today. What can we do?

RC

Sent from my iPhone

Begin forwarded message:

From: Robyn Powell <RPowell@ncd.gov>
Date: September 30, 2013 at 11:23:13 AM EDT
To: Jeff Rosen <jrosen@ncd.gov>, Rebecca Cokley <rcokley@ncd.gov>
Subject: Sylvia's Husband

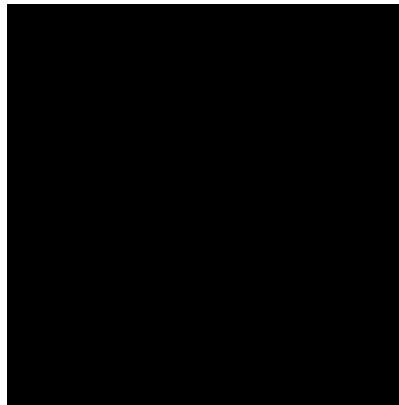
Hi Jeff and Rebecca,

Staff have informed me that a man (assumedly Sylvia's husband) has been in Sylvia's office for several hours with her and that they have overheard what sounds like papers being ripped. I wanted to let you know, as this seems inappropriate.

Thanks,
Robyn

--

Lisa Gilmore
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https://docs.google.com/a/gsa.gov/forms/d/1nhjCN6mQLHds76fKF2MsLyLHchZpKL7e_LIZjNJlr0/viewform

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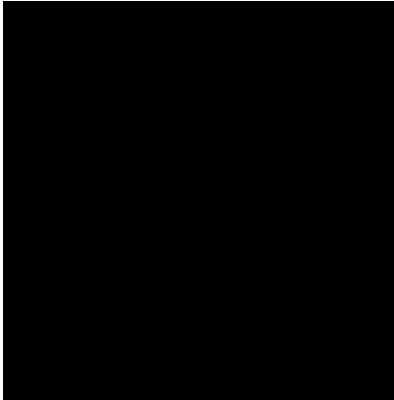
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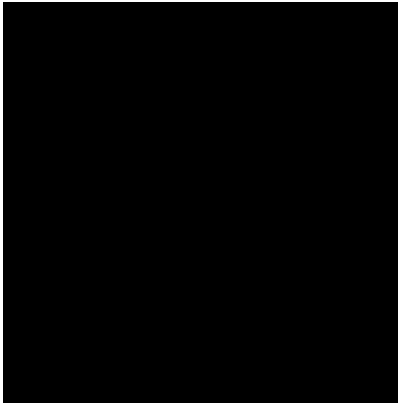
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https://docs.google.com/a/gsa.gov/forms/d/1nhjCN6rnQLHds76fKF2MsLyLHchZpKL7e_LIZjNJlr0/viewform

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [Lisa Brown-Gilmore - CPWA](#)
Date: 9/25/2013 5:06:10 PM
Subject: RE: Tomorrow's Meeting

Lisa -

Upon reflection, I am of the view that an email from GSA counsel is unnecessary in light of the fact that Sylvia was verbally informed by counsel that she needed to follow the directives of the agency head. Thus Sylvia was fully aware of the counsel prior to her decision to disregard the direct order.

I look to further information regarding disciplinary action as a concrete step forward in allowing us to take better control of the situation.

-Jeff

From: Jeff Rosen
Sent: Wednesday, September 25, 2013 2:09 PM
To: Lisa Brown-Gilmore - CPWA
Cc: Rebecca Cokley; David Allen - WPG-C
Subject: RE: Tomorrow's Meeting

Thank you Lisa, we will follow that advice.

We still fully expect Sylvia to provide the draft by COB today. She has failed to provide any legitimate reasons why she cannot do so nor has she responded in a timely way.

An email from GSA counsel is fine.

Regardless of today's outcome, disciplinary action must occur.

Failing to provide this support in a timely manner has jeopardized the agency. It is another in a series of continuing conduct issues, which cumulatively I am of the clear view warrants her removal. I do not represent any views of the several other NCD managers involved in managing her, but each of them has independently expressed the view that her removal is warranted.

I look to more information from you soon.

-Jeff

From: Lisa Brown-Gilmore - CPWA <lisa.gilmore@gsa.gov>
Sent: Wednesday, September 25, 2013 2:00 PM
To: Jeff Rosen
Cc: Rebecca Cokley; David Allen - WPG-C
Subject: Tomorrow's Meeting

Hello Jeff,

You are correct that some disciplinary action must occur with this latest incident and her refusing to follow your specific instructions.

I will discuss with you tomorrow, in a very general manner, the plan of action we are pursuing with Ms. Jones.

A suspension with pay is called administrative leave, where an employee is sent home with full pay. It

is not a disciplinary action and should be taken only as a "last resort" e.g. where the employee is a threat to do physical harm to others.

We would not recommend administrative leave in this case. You would have to keep her in a pay status while a proposal is drafted, issued and decided this would be in excess of 30 days and since the proposal would probably not be removal, you would then have to bring her back to duty after any suspension.

We recommend that you retain her in a duty status.

We will attempt to have Counsel provide an email telling Ms. Jones that you do have legitimate authority to give her directions and that her failure to follow those directions could result in disciplinary action, up to and including removal.

I look forward to speaking with you tomorrow.

--

Lisa Gilmore

Human Resources Specialist (Employee Relations)

Washington Area Operations Center

Employee Relations Branch-CPWA

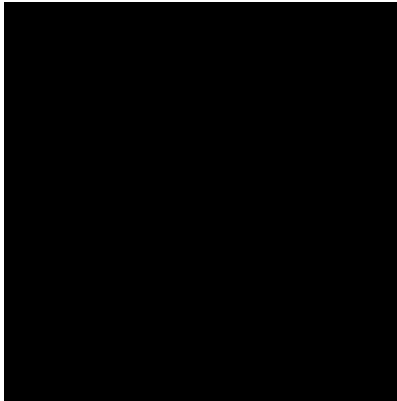
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https://docs.google.com/a/gsa.gov/forms/d/1nhjCN6rnQLHds76fKF2MsLyLHchZpKL7e_LIZjNJlr0/viewform

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [Gary Blumenthal](#)
Date: 9/23/2013 2:48:58 PM
Subject: RE: Can you and I speak this afternoon

I will call you now.

From: Gary Blumenthal <garyblumenthal@addp.org>
Sent: Monday, September 23, 2013 2:41 PM
To: Jeff Rosen
Cc: David Allen - WPG-C
Subject: Can you and I speak this afternoon

To make matters even more difficult, Sylvia is not reading her emails or taking phone calls. If you will approve of my flying into DC tomorrow or Wednesday, I am prepared to be in the office to facilitate the closing of the budget which is becoming increasingly difficult as Ms. Meniffee is working in isolation and unresponsiveness to any supervision.

Gary

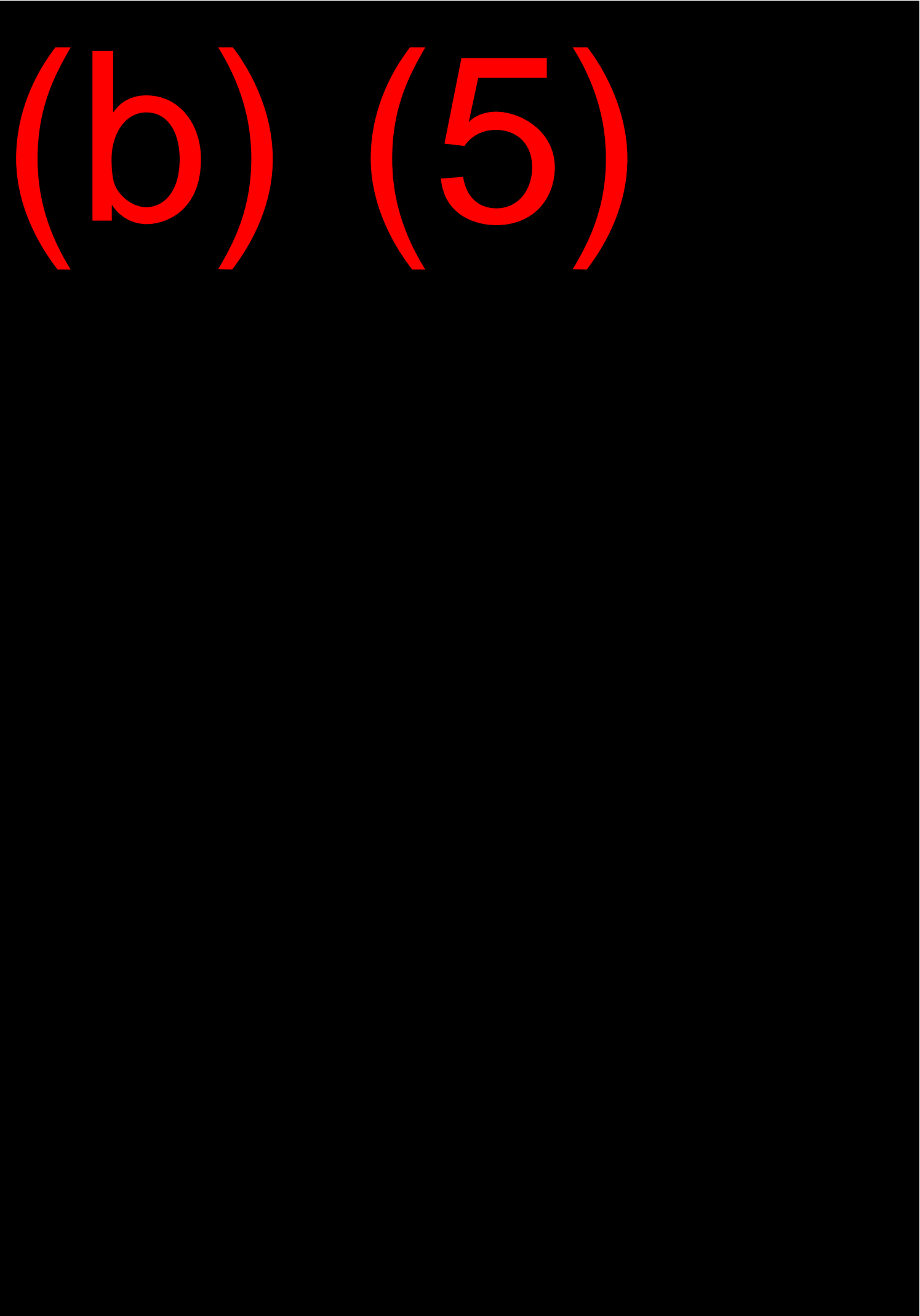
From: [Jeff Rosen <jrosen@ncd.gov>](mailto:Jeff.Rosen@ncd.gov)
To: [Lisa Brown-Gilmore - CPWA](#)
Date: 10/18/2013 9:50:02 AM
Subject: FW: NCD Scan

From: Jeff Rosen Sent: Friday, October 18, 2013 9:48 AM To: Sylvia Jones; Gary Blumenthal; (b) (6) Cc: Rebecca Cokley Subject: RE: NCD Scan
Rebecca will work with Sylvia to handle this. I think nothing further is needed to be added here for staff to process this voucher. Thanks. -Jeff
From: Sylvia Jones Sent: Friday, October 18, 2013 9:42 AM To: Gary Blumenthal; (b) (6) Cc: Rebecca Cokley; Jeff Rosen Subject: RE: NCD Scan
Gary, Rebecca was not giving birth on Sept 18 when I delivered the documents to her. However she is now back to work and the processing of voucher is her responsibility. Sylvia
From: Gary Blumenthal Sent: Friday, October 18, 2013 9:35 AM To: Sylvia Jones; (b) (6) Cc: Rebecca Cokley; Jeff Rosen Subject: RE: NCD Scan
Sylvia, Noting that Becca was in the midst of giving birth at the time, I could have been sent the form to sign on her behalf. I am printing it out now and signing it and will send it by PDF for immediate processing. Also, Please note the request for information I sent you yesterday. Thank you. Gary
From: Sylvia Jones Sent: Friday, October 18, 2013 9:25 AM To: (b) (6) Cc: Rebecca Cokley; Gary Blumenthal; Jeff Rosen Subject: FW: NCD Scan
Hi (b) (6), Following the quarterly meeting I received for your claim reimbursement form on July 30. On August 8 I sent you your travel voucher for review and signature. After catching an error, I revised the voucher and resent to you for review and signature on August 14 at which time you responded to me that "you could not send back to me until you returned from South America." When I did not hear back from you, I sent you a follow up email on Sept 13 reminding you that I had not received your sign voucher. On Sept 16 you returned the voucher to me incomplete missing your initials and I returned the document back to you to initial. On Sept 17 you sent the voucher back to me properly completed for processing. On Sept 18 I handcarried a bundle of financial transactions to Rebecca when she was still present for duty for review and signature; which included your travel voucher. Your voucher was not signed and is still with Rebecca. I advised Gary of this on Sept. 24, however the issue did not appear to be an end of year priority. I recommend that you follow up with Rebecca as she is now back to work part-time and is responsible for this area of work; and on behalf of the office I apologize for the burden this delay has caused on you and your family. However I had no control over the document or it's processing once it was placed in the hands of the ED. Regards, Sylvia

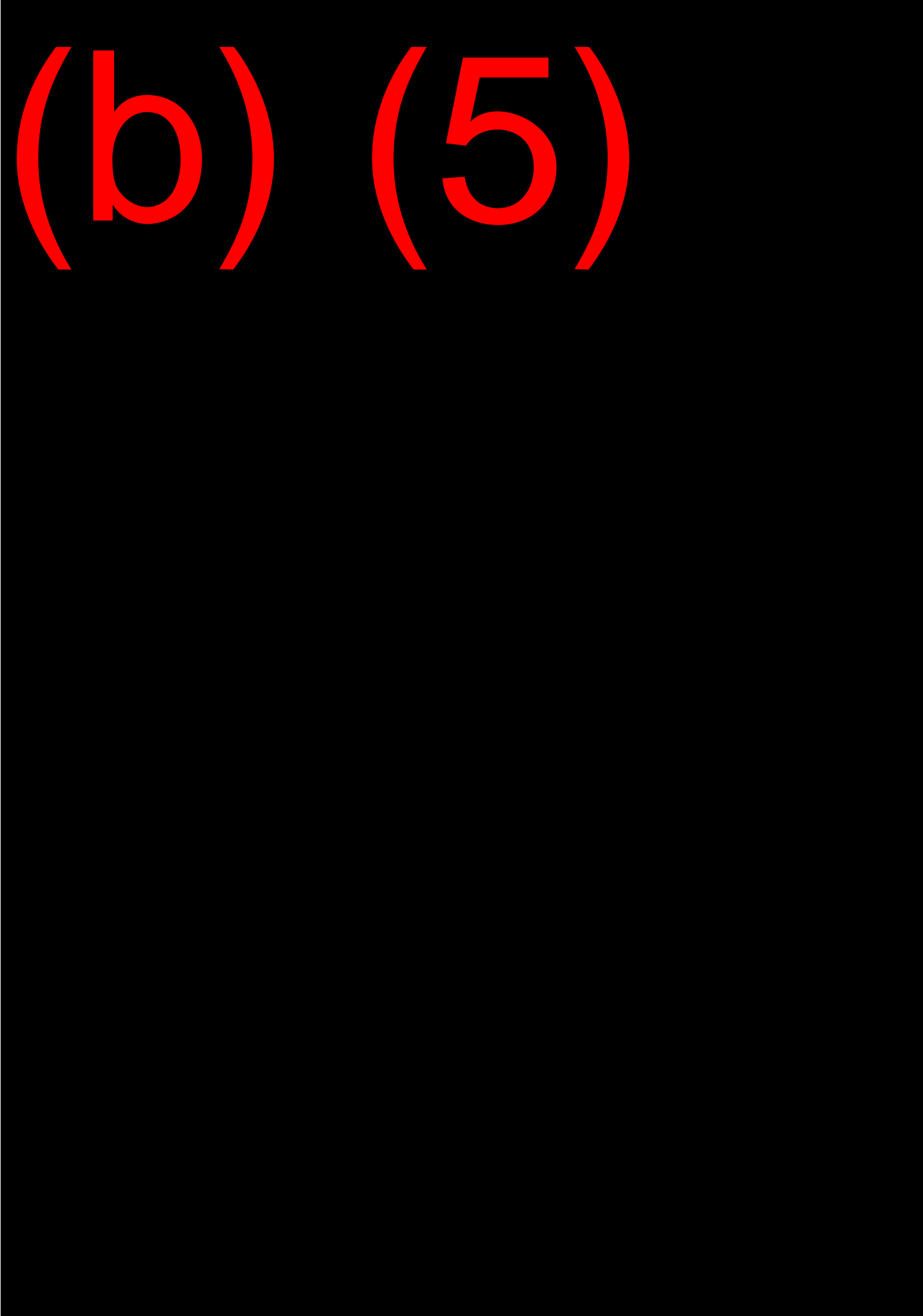
From: (b) (6) Sent: Thursday, October 17, 2013 12:12 PM To: Sylvia Jones; Gary Blumenthal; Jeff Rosen; Rebecca Cokley Subject: FW: NCD Scan
Hi Sylvia, I just wanted to be sure this hasn't been lost in the shuffle. I still haven't been reimbursed for expenses from our July meeting, and it is getting a little bit harder to continue fronting the costs. As you know, I submitted my paperwork immediately upon returning from the DC meeting. However, the voucher wasn't complete until after I had left the country for a month. Upon my return, you will recall, there was a delay in returning it and an error in my submission. It was returned in its correct form on September 17. I realize it may already be being processed at its next stop, and slowed due to the shutdown. However, I just wanted to make sure it isn't lost as it is a significant financial expense for my family. Thanks! Sara
From: (b) (6) Sent: Tuesday, September 17, 2013 8:51 AM To: Sylvia Jones; Rebecca Cokley; Jeff Rosen Subject: FW: NCD Scan
Here you go, Sylvia. Should be all signed and initialed appropriately now. Thanks! (b) (6)
From: Sara Gelser <sgelser@yahoo.com> Sent: Tuesday, September 17, 2013 8:50 AM To: Sara Gelser Subject: Fw: NCD Scan ----- Forwarded Message -----
From: Peter Gelser <pgelser@yahoo.com> To: sgelser@yahoo.com Sent: Tuesday, September 17,

2013 8:47 AM Subject: NCD Scan

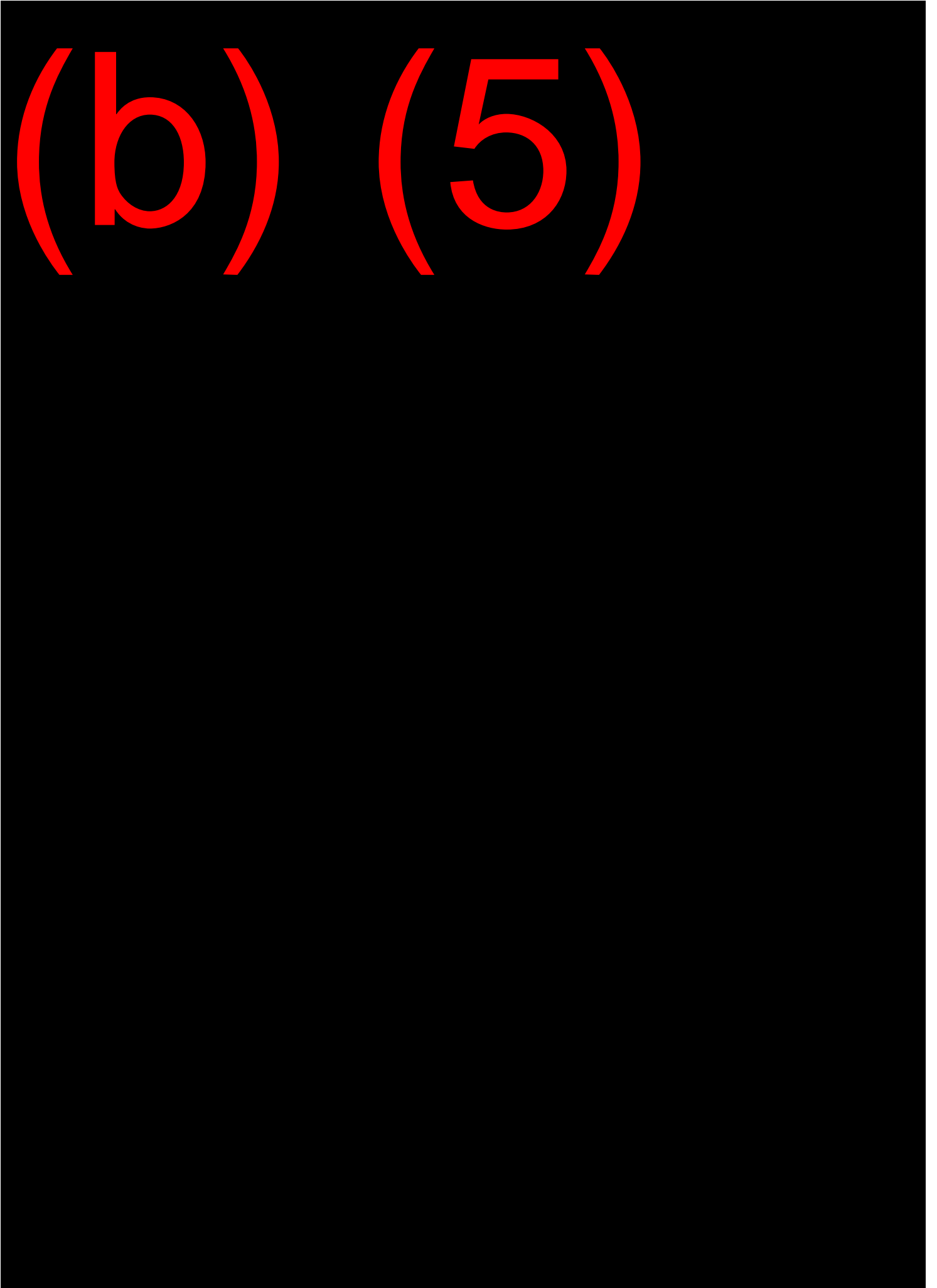
(b) (5)



(b) (5)



(b) (5)



From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [Rebecca Cokley](#)
[Lisa Brown-Gilmore - CPWA](#)
[David Allen](#)
Date: 9/26/2013 7:28:20 PM
Subject: RE: laptop

GSA folks -

I dont believe Sylvia is accurately representing what GSA said.

In any case, its not for Sylvia to determine. She should follow the directive.

Since Rebecca is on maternity leave, feel free to discuss with Rebecca whether to have any follow up emails on this or any other topic come from me rather than continuing to draw Rebecca into the mix. I leave that decision up to her.

Thanks for helping us handle.

-Jeff

From: Rebecca Cokley
Sent: Thursday, September 26, 2013 4:54 PM
To: Lisa Brown-Gilmore - CPWA; David Allen
Cc: Jeff Rosen
Subject: Fwd: laptop

Sent from my iPhone

Begin forwarded message:

From: Sylvia Jones <sjones@ncd.gov>
Date: September 26, 2013 at 4:53:40 PM EDT
To: Rebecca Cokley <rcokley@ncd.gov>
Cc: Sylvia Jones <sjones@ncd.gov>
Subject: RE: laptop

Rebecca,

As you are aware the government is in the midst of a shut down and GSA advised against issuance of equipment and referred me to Ethics. I have reached out to Ethics and until I received ethics clearance I will not release the laptop while you are not on official duty and absent without leave.

In addition, I am tired of receiving threats for simply doing my job; and please be advised that before you can take disciplinary action against me for doing my job, you have to consider all the documented acts of misconduct involving yourself and others in the agency.

-Sylvia

From: Rebecca Cokley
Sent: Thursday, September 26, 2013 4:05 PM
To: Sylvia Jones
Cc: Jeff Rosen
Subject: laptop

Sylvia,

As your supervisor, I am directing you to make a laptop available for my use while I am physically away from the office. I am directing you to have the laptop available by [9/27/13](#). Failure to follow this direct order may result in disciplinary action, up to and including removal from the Federal service.

Rebecca

Sent from my iPad

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:Jeff.Rosen@ncd.gov)
To: bradley.kliethermes@gsa.gov
Date: 9/26/2013 12:55:58 PM
Subject: FW: Your assistance

Brad -

I am providing by this email my permission for Rebecca to go over the biweekly comp cap for the periods listed in her email below.

Thank you for your assistance.

-Jeff

From: Rebecca Cokley
Sent: Thursday, September 26, 2013 11:08 AM
To: Jeff Rosen
Cc: David Allen; Lisa Brown-Gilmore - CPWA
Subject: Fwd: Your assistance

Jeff

I need you to send Brad a note detailing your permission for me to go over the biweekly comp cap for these periods for these special projects that required additional comp.

ADA week (07/19-07/30)
budget prep (08//06-08/15)
Personnel (06/21-06/28)
WH event (06/25-07/25)
Quarterly meeting prep (07/10-07/11)

Please send to Brad at this email address. bradley.kliethermes@gsa.gov

Thanks

Rebecca

Sent from my iPhone

Begin forwarded message:

From: Brad Kliethermes - BCEC <bradley.kliethermes@gsa.gov>
Date: September 18, 2013 at 4:58:37 PM EDT
To: Rebecca Cokley <rcokley@ncd.gov>
Cc: David Allen - WPG-C <david.allen@gsa.gov>, Lisa Brown-Gilmore - CPWA <lisa.gilmore@gsa.gov>
Subject: Re: Your assistance

The letter just needs to say that you are approved to have the biweekly cap lifted from this date to this date. It would be good to include something about why it is being lifted. It could simply say that you had to work a

special project the required you to work additional comp time or something like that.

For the timecard I just need something that shows what days you need to have the comp time added and how many hours to add. If that is all on the comp sheets then I can use those.

Bradley Kliethermes

Supervisory Accountant Payroll Operations

GSA National Payroll Branch (BCEC)

Financial and Payroll Services Division

Office of the Chief Financial Officer

Phone: (816) 823-3906

Fax: (816) 823-5447

Please go to the following link to provide feedback on the service I provided.

<https://spreadsheets.google.com/spreadsheet/viewform?formkey=dEVCVTdXNkdWZF9OWHZmdUgwbnZlaVE6MA>

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On Wed, Sep 18, 2013 at 3:54 PM, Rebecca Cokley <rcokley@ncd.gov> wrote:

Are the timecards different than the comp sheets?

I'll get a letter signed off by the Chair. Does the letter need to be project specific or general?

Rebecca Cokley

Executive Director

National Council on Disability

1331 F Street NW, Suite 850

Washington, DC 20004

[202-272-2124](tel:202-272-2124) Voice

[202-272-2074](tel:202-272-2074) TTY

[202-272-2022](tel:202-272-2022) Fax

Rcokley@ncd.gov

Website: <http://www.ncd.gov>

From: Brad Kliethermes - BCEC [mailto:bradley.kliethermes@gsa.gov]

Sent: Wednesday, September 18, 2013 4:53 PM

To: Rebecca Cokley

Cc: David Allen - WPG-C; Lisa Brown-Gilmore - CPWA

Subject: Re: Your assistance

Rebecca,

We would just need the timecards that need to be processed so we can load them for you. As I mentioned before though without some kind of letter signed off by someone at the agency to lift the biweekly pay cap your comp time would be cut back.

Bradley Kliethermes

Supervisory Accountant Payroll Operations

GSA National Payroll Branch (BCEC)

Financial and Payroll Services Division
Office of the Chief Financial Officer
Phone: [\(816\) 823-3906](tel:(816)823-3906)
Fax: [\(816\) 823-5447](tel:(816)823-5447)

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On Mon, Sep 16, 2013 at 12:48 PM, Rebecca Cokley <rcokley@ncd.gov> wrote:
Brad

I'm growing in concern since next Thursday is my last day scheduled in the office. Do we have an update as to what you need from me (and/or my supervisor, the Chair) to process my comp time?

Rebecca Cokley
Executive Director
National Council on Disability
1331 F Street NW, Suite 850
Washington, DC 20004
[202-272-2124](tel:202-272-2124) Voice
[202-272-2074](tel:202-272-2074) TTY
[202-272-2022](tel:202-272-2022) Fax
Rcokley@ncd.gov
Website: <http://www.ncd.gov>

From: Rebecca Cokley
Sent: Thursday, September 12, 2013 12:25 PM
To: 'Brad Kliethermes - BCEC'

Cc: David Allen - WPG-C; Lisa Brown-Gilmore - CPWA
Subject: RE: Your assistance

Brad

Prior to going on leave, I will have worked at NCD for 13 bi-weekly pay periods, which is \$73,750 (gross). I will be at 50% telework for 7 bi-weekly pay periods at the end of the year which equals \$19855 (gross).
 $\$73,750 + \$19,855 = \$93,605$.

\$93605 is \$61,375 less than the cap of \$154,980.

With my 79 hours of comp pending at my hourly rate of \$70.68, that equals \$5583.72. Which still doesn't take me to \$154,980.

So what are my next steps? Do I need to have my boss, the chairperson, write you a list of the specific tasks he approved me working over 4 hours on per pay period, and then you can process this? If so, I can get this to you first thing in the morning.

Please advise.

Rebecca Cokley
Executive Director
National Council on Disability
1331 F Street NW, Suite 850
Washington, DC 20004
[202-272-2124](tel:202-272-2124) Voice
[202-272-2074](tel:202-272-2074) TTY
[202-272-2022](tel:202-272-2022) Fax
Rcokley@ncd.gov
Website: <http://www.ncd.gov>

From: Brad Kliethermes - BCEC [<mailto:bradley.kliethermes@gsa.gov>]
Sent: Wednesday, September 11, 2013 4:04 PM

To: Rebecca Cokley
Cc: David Allen - WPG-C; Lisa Brown-Gilmore - CPWA
Subject: Re: Your assistance

Not working there for the whole year is how you could get more comp time by having the biweekly cap lifted and then as long as your salary and premium pay for the year doesn't go over the cap you are ok.

Bradley Kliethermes
Supervisory Accountant Payroll Operations
GSA National Payroll Branch (BCEC)
Financial and Payroll Services Division
Office of the Chief Financial Officer
Phone: [\(816\) 823-3906](tel:816-823-3906)
Fax: [\(816\) 823-5447](tel:816-823-5447)

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<https://spreadsheets.google.com/spreadsheet/viewform?formkey=dEVCVTdXNkdWZF9OWHZmdUgwnZlaVE6MA>

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On Wed, Sep 11, 2013 at 2:16 PM, Rebecca Cokley <rcokley@ncd.gov> wrote:
Brad

Would it make a difference that as of the end of the calendar year I wouldn't have worked at NCD for a 26 Bi-weekly salary period? I started back in April.

Rebecca Cokley
Executive Director
National Council on Disability
1331 F Street NW, Suite 850
Washington, DC 20004
[202-272-2124](tel:202-272-2124) Voice
[202-272-2074](tel:202-272-2074) TTY
[202-272-2022](tel:202-272-2022) Fax
Rcokley@ncd.gov

Website: <http://www.ncd.gov>

From: Brad Kliethermes - BCEC [mailto:bradley.kliethermes@gsa.gov]

Sent: Wednesday, September 11, 2013 2:27 PM

To: Rebecca Cokley

Cc: David Allen - WPG-C; Lisa Brown-Gilmore - CPWA

Subject: Re: Your assistance

Rebecca,

I left David and Lisa on this in case they have other input that might show you don't fall under this rule or might be able to help in figuring out if the biweekly cap could be lifted in order to allow for the comp time to be fully earned. The below link will take you to the OPM site with the rules on capping premium pay.

<http://www.opm.gov/policy-data-oversight/pay-leave/pay-administration/#url=Biweekly-Pay-Caps>

Bradley Kliethermes

Supervisory Accountant Payroll Operations

GSA National Payroll Branch (BCEC)

Financial and Payroll Services Division

Office of the Chief Financial Officer

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Fax: [\(816\) 823-5447](tel:(816)823-5447)

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On Wed, Sep 11, 2013 at 11:21 AM, Brad Kliethermes - BCEC <bradley.kliethermes@gsa.gov> wrote:
Basically whoever has the authority in your agency to approve your hours. I have briefly looked at your pay and it looks like with your regular pay you should still be able to earn about 4 hours of comp time in a pay period.

Bradley Kliethermes

Supervisory Accountant Payroll Operations

GSA National Payroll Branch (BCEC)

Financial and Payroll Services Division

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On Wed, Sep 11, 2013 at 10:39 AM, Rebecca Cokley <rcokley@ncd.gov> wrote:
Brad

What would that need to look like? Should it come from the head of the agency (the chair)?

Rebecca

Sent from my iPhone

On Sep 11, 2013, at 11:33 AM, "Brad Kliethermes - BCEC" <bradley.kliethermes@gsa.gov> wrote:

We are able to process the timecards in the interim if needed. An email with proper certification is all that would be required for us to do the input.

Bradley Kliethermes

Supervisory Accountant Payroll Operations

GSA National Payroll Branch (BCEC)

Financial and Payroll Services Division

Office of the Chief Financial Officer

Phone: [\(816\) 823-3906](tel:(816)823-3906)

Fax: [\(816\) 823-5447](tel:(816)823-5447)

Please go to the following link to provide feedback on the service I provided.

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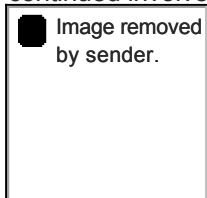
On Wed, Sep 11, 2013 at 10:29 AM, David Allen - WPG-C <david.allen@gsa.gov> wrote:
Mr. Kliethermes,

I want to first thank you for agreeing to assist us in getting Ms. Cokley's comp time properly credited to her account.

We are unsure whether Ms. Menifee will certify that time once Ms. Cokley claims in on her time card.

I am asking you to confirm that you can approve and have input the use of that comp time, in accordance with all appropriate regulations, should Ms. Menifee decline to appropriately process it.

Management is addressing the issue of certifying an alternate timekeeper within the agency so that your continued involvement will not be necessary.



--

Dave Allen
Employee Relations Specialist
301 7th Street SW
Room 1619
Washington, DC 20407

David.Allen@GSA.gov

[202-690-9475](tel:202-690-9475)

FAX [202-205-2546](tel:202-205-2546) (Please call or email if faxing so that I can retrieve it)

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2012.0.2242 / Virus Database: 3222/6155 - Release Date: 09/11/13

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2012.0.2242 / Virus Database: 3222/6156 - Release Date: 09/11/13

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2012.0.2242 / Virus Database: 3222/6156 - Release Date: 09/11/13

No virus found in this message.

Checked by AVG - www.avg.com

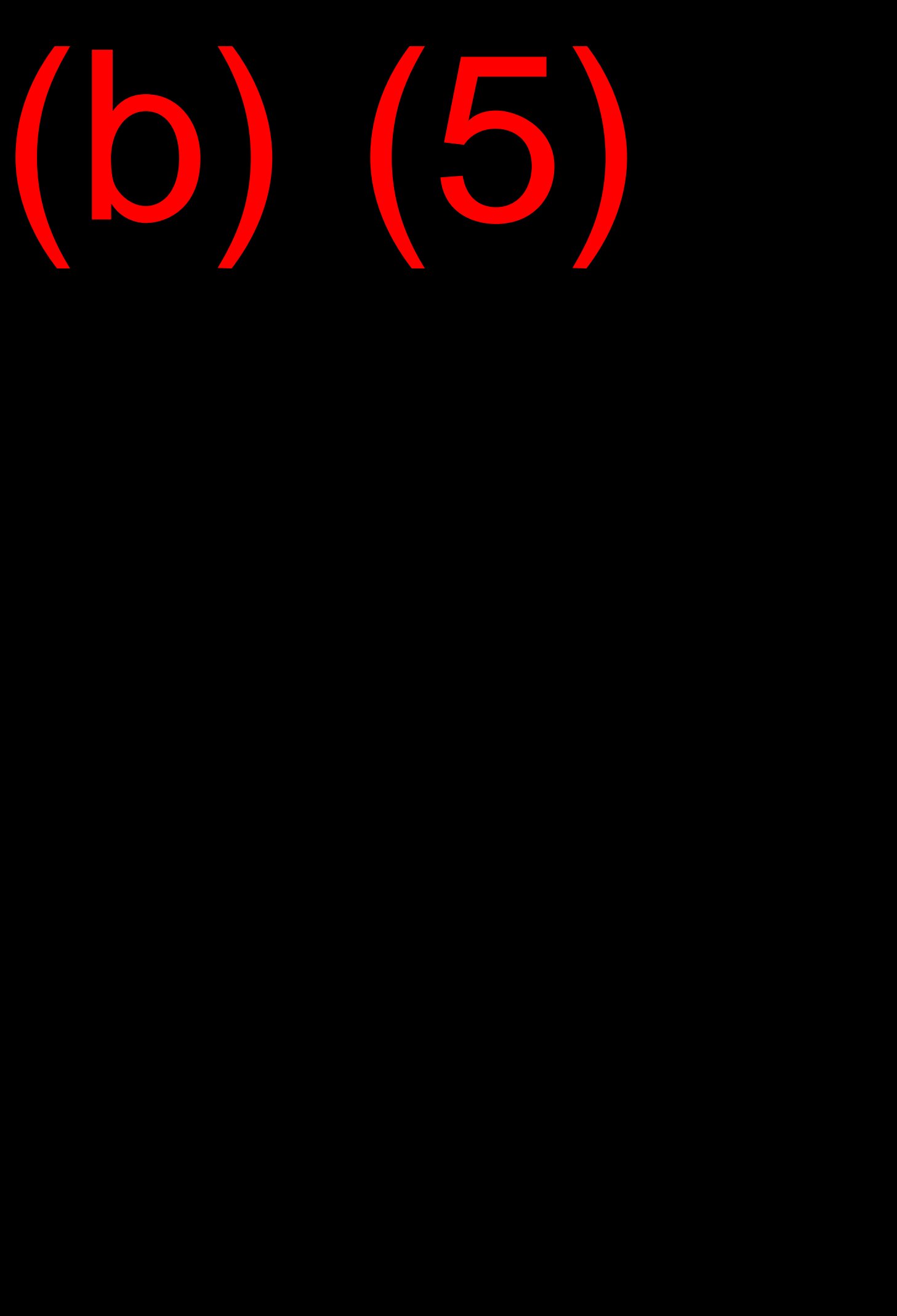
Version: 2012.0.2242 / Virus Database: 3222/6177 - Release Date: 09/18/13

No virus found in this message.

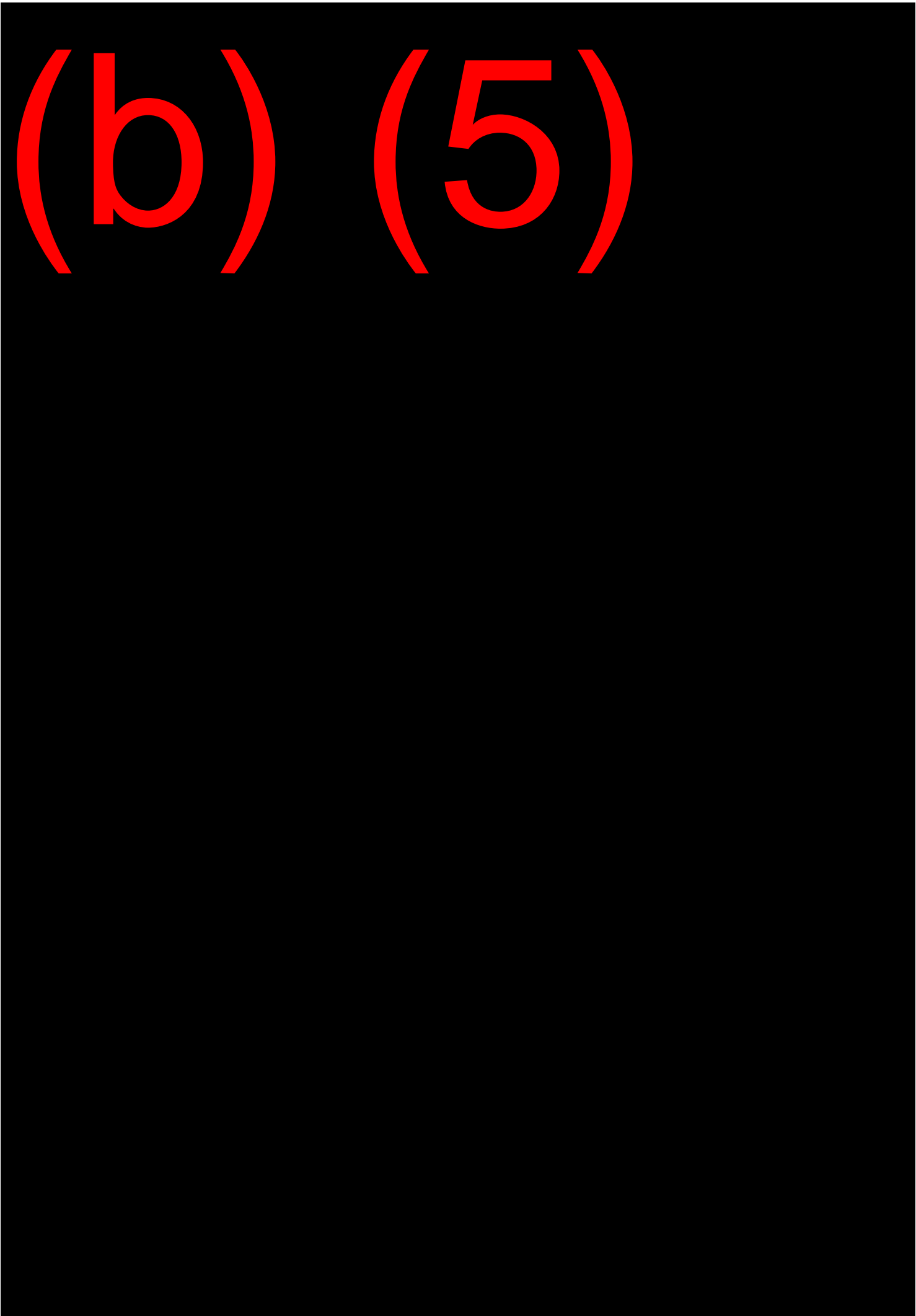
Checked by AVG - www.avg.com

Version: 2012.0.2242 / Virus Database: 3222/6177 - Release Date: 09/18/13

(b) (5)



(b) (5)



(b) (5)

From: Jeff Rosen
Sent: Thursday, September 12, 2013 11:37 AM
To: Sylvia Meniffee; Burgdorf, Robert; Julie Carroll
Cc: Rebecca Cokley; Gary Blumenthal
Subject: RE: Travel Reimbursement for Robert Burgdorf

Thank you for your response Sylvia.

I will forward you an email chain regarding the approval of his travel expenses. Please let Rebecca know if anything further is needed.

-Jeff

From: Sylvia Meniffee
Sent: Thursday, September 12, 2013 11:28 AM
To: Burgdorf, Robert; Julie Carroll
Cc: Jeff Rosen; Rebecca Cokley; Sylvia Meniffee
Subject: RE: Travel Reimbursement for Robert Burgdorf

Good Morning Mr. Burgdorf,

Per my email to Rebecca Cokley (Executive Director) on August 29, 2013 I am unable to process your claim for "transportation expenses." Per the request made by Julie Carroll, the agency approved your travel "from and back to Florida which resulted in a modification to add \$5000."

A request for reimbursement of additional transportation expenses was not submitted or approved

therefore you were not issued an official government travel authorization prior to your travel to cover such expenses.

If you have any questions or concerns regarding this matter please contact Rebecca Cokley directly. She can be reached at [202-272-2124](tel:202-272-2124).

Best regards,
Sylvia

From: Burgdorf, Robert <rburgdorf@udc.edu>
Sent: Wednesday, September 11, 2013 12:05 PM
To: Julie Carroll; Sylvia Meniffee
Cc: Jeff Rosen; Rebecca Cokley
Subject: RE: Travel Reimbursement for Robert Burgdorf

Hi, Sylvia,

Following up on Julie's message in August, I would like to file for my travel reimbursement. Can you advise me how to do so?

Thanks,
Bob Burgdorf

From: Julie Carroll [JCarroll@ncd.gov]
Sent: Tuesday, August 13, 2013 10:12 AM
To: Sylvia Meniffee
Cc: Jeff Rosen; Rebecca Cokley; Burgdorf, Robert
Subject: Travel Reimbursement for Robert Burgdorf

Hi Sylvia,
Jeff and Gary approved transportation expenses for Robert Burgdorf to come to Washington for the release of the ADAAA report. Would you please let him know how to file for that reimbursement? He is cc'd here.
Thanks very much.
Julie

--

Dave Allen
Employee Relations Specialist
301 7th Street SW
Room 1619
Washington, DC 20407
David.Allen@GSA.gov
[202-690-9475](tel:202-690-9475)
FAX [202-205-2546](tel:202-205-2546) (Please call or email if faxing so that I can retrieve it)

--

Dave Allen

Employee Relations Specialist

301 7th Street SW

Room 1619

Washington, DC 20407

David.Allen@GSA.gov

202-690-9475

FAX 202-205-2546 (Please call or email if faxing so that I can retrieve it)

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [Lisa Brown-Gilmore - CPWA \(lisa.gilmore@gsa.gov\)](mailto:lisa.gilmore@gsa.gov)
[David Allen - WPG-C](#)
Date: 9/27/2013 3:57:54 PM
Subject: FW: NCD contract extension with DEVIS

From: Jeff Rosen
Sent: Friday, September 27, 2013 3:55 PM
To: Sylvia Jones; Marina Gelles
Cc: Anne Sommers; Gary Blumenthal; Rebecca Cokley; Jake Stone
Subject: RE: NCD contract extension with DEVIS

Marina -

I will follow up with you on this matter. Thank you for your willingness to work with us.

-Jeff

From: Sylvia Jones
Sent: Friday, September 27, 2013 3:48 PM
To: Jeff Rosen; Marina Gelles
Cc: Anne Sommers; Gary Blumenthal; Rebecca Cokley; Jake Stone; Sylvia Jones
Subject: RE: NCD contract extension with DEVIS

Hello Marina,

Per our conversation today...As the NCD Director of Administration I cannot process a contract modification and/or create a financial obligation using appropriated funds for this project beyond September 30, 2013.

Per my conversation with Anne Sommers on yesterday, she stated that "she has discussed this matter with Jake Stone." If you have any questions or require further assistance, please contact Anne Sommers or Jeff Rosen directly.

Have a good weekend!

Sylvia

From: Jeff Rosen
Sent: Tuesday, September 24, 2013 11:29 AM
To: Marina Gelles
Cc: Anne Sommers; Gary Blumenthal; Rebecca Cokley; Sylvia Jones; Jake Stone
Subject: RE: NCD contract extension with DEVIS

Marina -

I have signed the Memorandum and provided it to the NCD Director of Administration for processing.

You should hear back from NCD staff shortly. Please do not hesitate to contact us with any further inquiries.

Thank you.

-Jeff

From: Marina Gelles <mgelles@devis.com>
Sent: Thursday, September 19, 2013 2:31 PM
To: Jeff Rosen
Cc: Anne Sommers; Gary Blumenthal
Subject: Re: NCD contract extension with DEVIS

Jeff,

I have revised the quote accordingly and prepared the Memorandum to request the contract's extension - already executed by DEVIS - pending NCD signature. Could you please look the attached documents over and let me know if there is anything else needed, in order to proceed with the contract extension? Thank you so much.

Marina

Marina Gelles
Contracts Compliance Manager
Development InfoStructure, Inc. (Devis)
RRB Office:
RRB - Office Tower, #700
1300 Pennsylvania Ave. NW
Washington DC 20004
Phone: 202-204-3080
Arlington Office:
2101 Wilson Boulevard Suite 300
Arlington, VA 22201
mgelles@devis.com
mgelles@usaid.gov
Phone: 703.525.6485
Fax: 703.525-6029

From: "Jeff Rosen" <jrosen@ncd.gov>
To: "Marina Gelles" <mgelles@devis.com>
Cc: "Anne Sommers" <ASommers@ncd.gov>, "Gary Blumenthal" <GBlumenthal@ncd.gov>
Sent: Thursday, September 19, 2013 1:03:30 PM
Subject: RE: NCD contract extension with DEVIS

Thank you Marina.

The two items following basic hosting and tech support in section 2.2 are not needed for an extension. As for the last item in that section, we only need a few pages of document posting than the quote.

Thus, our needs are as follows:

- Website hosting \$7,500
- Remote technical support \$3,000
- Document posting (5 pages at \$9.56/page) \$47.80
- **TOTAL: \$10,547.80**

Could you promptly revise the quote to reflect the above & resend to us? Also, can you please send a formal agreement to extend for us to execute? We would like to get this done by COB tomorrow.

Thanks.

-Jeff

From: Marina Gelles <mgelles@devis.com>
Sent: Wednesday, September 18, 2013 2:26 PM
To: Jeff Rosen
Cc: Anne Sommers
Subject: RE: NCD contract extension with DEVIS

Jeff,

I apologize for the delay as Jake Stone is still out sick. Please find attached the quote Jake has developed for the services to be provided from October 1 through December 31, 2013.

Should you need additional documents, please let me know.

Kind regards,
Marina

Marina Gelles
Contracts Compliance Manager
Development InfoStructure, Inc. (Devis)
RRB Office:
RRB - Office Tower, #700
1300 Pennsylvania Ave. NW
Washington DC 20004
Phone: 202-204-3080
Arlington Office:
2101 Wilson Boulevard Suite 300
Arlington, VA 22201
mgelles@devis.com
mgelles@usaid.gov
Phone: 703.525.6485
Fax: 703.525-6029

From: Jeff Rosen [<mailto:jrosen@ncd.gov>]
Sent: Tuesday, September 17, 2013 9:58 PM
To: Marina Gelles
Cc: Anne Sommers
Subject: RE: NCD contract extension with DEVIS

Where are we on this? Thanks.

From: Marina Gelles <mgelles@devis.com>
Sent: Monday, September 16, 2013 10:42 AM
To: Jeff Rosen
Cc: Anne Sommers
Subject: RE: NCD contract extension with DEVIS

Jeff,

Thank you for your email. Unfortunately, Jake Stone, the PM, is out sick today but Jake assured me that he should be able to have the quote today, tomorrow morning at the latest.

I apologize for the inconvenience.

Kind regards,
Marina

Marina Gelles
Contracts Compliance Manager
Development InfoStructure, Inc. (Devis)

RRB Office:

RRB - Office Tower, #700
1300 Pennsylvania Ave. NW
Washington DC 20004
Phone: 202-204-3080

Arlington Office:

2101 Wilson Boulevard Suite 300
Arlington, VA 22201
mgelles@devis.com
mgelles@usaid.gov
Phone: 703.525.6485
Fax: 703.525-6029

From: Jeff Rosen [<mailto:jrosen@ncd.gov>]
Sent: Saturday, September 14, 2013 12:15 PM
To: Marina Gelles
Cc: Anne Sommers; Jake Stone
Subject: RE: NCD contract extension with DEVIS

Marina -

We need something this Monday 9/16. Again, we are looking to a few months extension as a precursor to a longer-term new contract.

Thank you.

-Jeff

From: Marina Gelles <mgelles@devis.com>
Sent: Thursday, September 12, 2013 3:58 PM
To: Jeff Rosen
Cc: Anne Sommers; Jake Stone
Subject: Re: NCD contract extension with DEVIS

Jeff,

Thank you so much for your email.

We are pleased to be able to work with the NCD on this important project and look forward to the contract's extension. I am copying Jake Stone, our Project Manager, who will follow-up to confirm the requirements and will provide a quote.

Should you have any questions on contractual issues, please do not hesitate to contact me at any time.

Kind regards,
Marina

Marina Gelles
Contracts Compliance Manager
Development InfoStructure, Inc. (Devis)
RRB Office:

RRB - Office Tower, #700
1300 Pennsylvania Ave. NW
Washington DC 20004
Phone: 202-204-3080

Arlington Office:

2101 Wilson Boulevard Suite 300
Arlington, VA 22201
mgelles@devis.com
mgelles@usaid.gov
Phone: 703.525.6485
Fax: 703.525-6029

From: "Jeff Rosen" <jrosen@ncd.gov>
To: mgelles@devis.com, mgelles@usaid.gov
Cc: "Anne Sommers" <ASommers@ncd.gov>
Sent: Thursday, September 12, 2013 12:46:20 PM
Subject: NCD contract extension with DEVIS

Hi Marina -

I am with NCD and we would like check into the possibility to extend the current contract with DEVIS for a few months. This will ensure that NCD's website doesn't go offline when the current contract expires the end of this month.

Thanks.

-Jeff Rosen

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [Rebecca Cokley](#)
[Brad Kliethermes - BCEC](#)
Date: 12/13/2013 1:32:14 PM
Subject: RE: amended timesheets

I need GSA to tell me an alternative approach to getting these timecards certified.

Again, we must have that alternative option in place in the event that Sylvia is indisposed or unwilling.

Look to receiving that information soon.

-Jeff

From: Rebecca Cokley
Sent: Friday, December 13, 2013 12:28 PM
To: Jeff Rosen; Brad Kliethermes - BCEC
Cc: Lisa Brown-Gilmore - CPWA
Subject: RE: amended timesheets

Stacey can sign them but she still certifies them.

I would also like to say for documentation purposes that many of the leave slips I submitted lacked the inclusion of ANY comp time, but used both annual leave and sick leave, and still have not been certified.

Rebecca

From: Jeff Rosen
Sent: Friday, December 13, 2013 12:24 PM
To: Rebecca Cokley; Brad Kliethermes - BCEC
Cc: Lisa Brown-Gilmore - CPWA
Subject: RE: amended timesheets

If Sylvia was indisposed for a significant period of time for some reason, there must be an alternative arrangement to allow the agency to sign the timecards to have them processed. So I'm asking Brad again, can we have someone else at the agency sign the timecards?

Thanks.

-Jeff

From: Rebecca Cokley
Sent: Friday, December 13, 2013 12:19 PM
To: Jeff Rosen; Brad Kliethermes - BCEC
Cc: Lisa Brown-Gilmore - CPWA
Subject: RE: amended timesheets

Nope, this is what we ran into before, with getting the comp approved in the first place.

Rebecca

From: Jeff Rosen
Sent: Friday, December 13, 2013 12:19 PM
To: Rebecca Cokley; Brad Kliethermes - BCEC
Cc: Lisa Brown-Gilmore - CPWA
Subject: RE: amended timesheets

Brad -

Can someone else at NCD sign these timecards?

Thanks.

-Jeff

From: Rebecca Cokley
Sent: Friday, December 13, 2013 12:17 PM
To: Brad Kliethermes - BCEC
Cc: Lisa Brown-Gilmore - CPWA; Jeff Rosen
Subject: RE: amended timesheets

Brad

I'm cc'ing Lisa at GSA and my boss, the chairperson Jeff Rosen (as my supervisor). As you know, Mr. Rosen approved the comp time and we have the documentation. I'm not sure what our next step is. Maybe the two of them have an idea.

Rebecca

From: Brad Kliethermes - BCEC <bradley.kliethermes@gsa.gov>
Sent: Friday, December 13, 2013 12:11 PM
To: Rebecca Cokley
Subject: Re: amended timesheets

She called me back and basically said the timecards are in ETAMS but she is not signing them because she does not agree with the Comp time. So we have been paying you each pay period based on the base schedule that is in ETAMS because the timecards are not being signed. I am not sure who best in your agency to raise this issue to but there has to be someone who can direct her to sign these timecards.

Bradley Kliethermes

Supervisory Accountant Payroll Operations
GSA National Payroll Branch (BCEC)
Financial and Payroll Services Division
Office of the Chief Financial Officer
Phone: (816) 823-3906
Fax: (816) 823-5435

Please go to the following link to provide feedback on the service I provided.

<https://spreadsheets.google.com/spreadsheet/viewform?formkey=dEVCVTdXNkdWZF9OWHZmdUgwbnZlaVE6MA>

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On Fri, Dec 13, 2013 at 10:38 AM, Rebecca Cokley <rcokley@ncd.gov> wrote:

Brad

Please let me know if you do not hear back from her by Monday.

Thank you.

Rebecca

From: Brad Kliethermes - BCEC <bradley.kliethermes@gsa.gov>

Sent: Thursday, December 12, 2013 4:46 PM

To: Rebecca Cokley

Subject: Re: amended timesheets

I do not. I have sent an email to Sylvia to see what she tells me. Once I get that response I will be able to figure out what approach to take to help get this all straightened out.

Bradley Kliethermes

Supervisory Accountant Payroll Operations

GSA National Payroll Branch (BCEC)

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Phone: [\(816\) 823-3906](tel:8168233906)

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On Wed, Dec 11, 2013 at 2:59 PM, Rebecca Cokley <rcokley@ncd.gov> wrote:

Following up on this. I notice my leave totals haven't changed. Do you need anything else from me?

Rebecca Cokley

Executive Director

National Council on Disability

1331 F Street NW, Suite 850

Washington, DC 20004

[202-272-2124](tel:2022722124) Voice

[202-272-2074](tel:2022722074) TTY

[202-272-2022](tel:2022722022) Fax

Rcokley@ncd.gov

Website: <http://www.ncd.gov>

From: Brad Kliethermes - BCEC [mailto:bradley.kliethermes@gsa.gov]

Sent: Wednesday, November 27, 2013 10:04 AM

To: Rebecca Cokley

Subject: Re: amended timesheets

I am going to take a look at your records and will probably have to contact sylvia to find out what is going on.

Bradley Kliethermes

Supervisory Accountant Payroll Operations

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On Wed, Nov 27, 2013 at 8:58 AM, Rebecca Cokley <rcokley@ncd.gov> wrote:

Brad

I had to amend my leave slips for the last two weeks because I worked 2 8 hr days each week, unexpectedly. See attached.

Should I expect my leave to be adjusted by the next update to employee express, next Friday?

Rebecca Cokley

Executive Director

National Council on Disability

1331 F Street NW, Suite 850

Washington, DC 20004

[202-272-2124](tel:2022722124) Voice

[202-272-2074](tel:2022722074) TTY

[202-272-2022](tel:2022722022) Fax

Rcokley@ncd.gov

Website: <http://www.ncd.gov>

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2012.0.2242 / Virus Database: 3629/6358 - Release Date: 11/22/13

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:Jeff.Rosen@ncd.gov)
To: [Gary Blumenthal](mailto:Gary.Blumenthal@addp.org)
[Gary Blumenthal](mailto:Gary.Blumenthal@addp.org)
Date: 10/18/2013 9:32:16 AM
Subject: RE: FY 14 CR Calculation for the NCD

I have copied Lisa at GSA on this and will forward to her the email you sent Sylvia so that she is aware. _____

From: Gary Blumenthal
<garyblumenthal@addp.org> Sent: Friday, October 18, 2013 9:26 AM To: Jeff Rosen; Gary Blumenthal Cc: Rebecca Cokley Subject: RE: FY 14 CR Calculation for the NCD Thanks Jeff. I still would appreciate an acknowledgement of my question from Sylvia. I find it inexcusable that she neither answers nor acknowledges direct questions from her supervisor and Council leaders to whom she is tasked to work with. Gary -----Original Message----- From: Jeff Rosen [mailto:jrosen@ncd.gov] Sent: Friday, October 18, 2013 9:22 AM To: Gary Blumenthal; Gary Blumenthal Cc: Rebecca Cokley Subject: FW: FY 14 CR Calculation for the NCD Gary - Dont worry about the file attachment, see text below for the amount apportioned to NCD under the CR. -Jeff

From: Akbari, Jameela Raja
<Jameela_Akbari@omb.eop.gov> Sent: Friday, October 18, 2013 9:04 AM To: Mark Whittemore - BCED Cc: Sylvia Jones; Jeff Rosen Subject: RE: FY 14 CR Calculation for the NCD Sending again with the right address for Jeff. From: Mark Whittemore - BCED [mailto:mark.whittemore@gsa.gov] Sent: Friday, October 18, 2013 9:01 AM To: Akbari, Jameela Raja Cc: Sylvia Menifee; Rosen, Jeff Subject: Re: FY 14 CR Calculation for the NCD Thank you Jameela! Mark Whittemore, CGFM, CFE Accountant General Services Administration (GSA) External Services Branch (BCED) mark.whittemore@gsa.gov<mailto:mark.whittemore@gsa.gov> 1500 E. Bannister Road Kansas City, MO, 64131 Phone: 816-823-4581 Fax: 816-926-3642 On Fri, Oct 18, 2013 at 7:57 AM, Akbari, Jameela Raja <Jameela_Akbari@omb.eop.gov<mailto:Jameela_Akbari@omb.eop.gov>> wrote: Minus Katrina; plus Jeff. Yes, I get the same amount as you have below. From: Mark Whittemore - BCED [mailto:mark.whittemore@gsa.gov<mailto:mark.whittemore@gsa.gov>] Sent: Thursday, October 17, 2013 3:46 PM To: Sylvia Menifee; McDonald, Katrina A.; Akbari, Jameela Raja Subject: FY 14 CR Calculation for the NCD Good afternoon Katrina & Jameela, Can you please verify that the CR calculation for fiscal year 2014 is correct with regard to the National Council on Disability? Fiscal Year 2013 Appropriation - \$3,264,000 Division F, P.L. # 112-74 0.189% Rescission - (6,169) Division G, Section 3004(c)(1) 0.2% Rescission - (6,516) 5% Sequestration - (163,888) Fiscal Year 2014 Base Amount \$3,087,427 Multiplied by 29.32% (107/365) X 29.32% Amount Automatically Apportioned under the CR \$905,234 Please let me know and have a great day! Mark Whittemore, CGFM, CFE Accountant General Services Administration (GSA) External Services Branch (BCED) mark.whittemore@gsa.gov<mailto:mark.whittemore@gsa.gov> 1500 E. Bannister Road Kansas City, MO, 64131 Phone: 816-823-4581<tel:816-823-4581> Fax: 816-926-3642<tel:816-926-3642>

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [Lisa Brown-Gilmore - CPWA](#)
Date: 12/19/2013 5:09:10 PM
Subject: RE: Suspension Letter

Thanks Lisa.

Could you send me a clean copy?

Appreciate it.

-Jeff

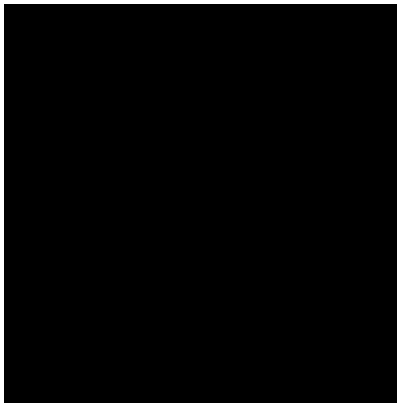
From: Lisa Brown-Gilmore - CPWA <lisa.gilmore@gsa.gov>
Sent: Thursday, December 19, 2013 3:54 PM
To: Jeff Rosen
Subject: Suspension Letter

Hi Jeff,

The attached letter is ready for issuance. It has been reviewed by OGC. I am working with Rebecca on the 52. Please let me know when you issue the letter. I will be out of the office tomorrow, but checking my emails.

--

Lisa Gilmore
Human Resources Specialist (Employee Relations)
Washington Area Operations Center
Employee Relations Branch-CPWA
301 7th Street, S.W., Room 1022
Washington, DC 20407
202-205-4929 Desk
202-(b) (6) Mobile Phone
202-708-5377 fax



https://docs.google.com/a/gsa.gov/forms/d/1nhjCN6rnQLHds76fKF2MsLyLHchZpKL7e_LIZjNJlr0/viewform

(b) (5)

From: Jeff Rosen
Sent: Thursday, September 12, 2013 11:37 AM
To: Sylvia Meniffee; Burgdorf, Robert; Julie Carroll
Cc: Rebecca Cokley; Gary Blumenthal
Subject: RE: Travel Reimbursement for Robert Burgdorf

Thank you for your response Sylvia.

I will forward you an email chain regarding the approval of his travel expenses. Please let Rebecca know if anything further is needed.

-Jeff

From: Sylvia Meniffee
Sent: Thursday, September 12, 2013 11:28 AM
To: Burgdorf, Robert; Julie Carroll
Cc: Jeff Rosen; Rebecca Cokley; Sylvia Meniffee
Subject: RE: Travel Reimbursement for Robert Burgdorf

Good Morning Mr. Burgdorf,

Per my email to Rebecca Cokley (Executive Director) on August 29, 2013 I am unable to process your claim for "transportation expenses." Per the request made by Julie Carroll, the agency approved your travel "from and back to Florida which resulted in a modification to add \$5000."

A request for reimbursement of additional transportation expenses was not submitted or approved therefore you were not issued an official government travel authorization prior to your travel to cover such expenses.

If you have any questions or concerns regarding this matter please contact Rebecca Cokley directly. She can be reached at [202-272-2124](tel:202-272-2124).

Best regards,
Sylvia

From: Burgdorf, Robert <rburgdorf@udc.edu>
Sent: Wednesday, September 11, 2013 12:05 PM
To: Julie Carroll; Sylvia Meniffee
Cc: Jeff Rosen; Rebecca Cokley
Subject: RE: Travel Reimbursement for Robert Burgdorf

Hi, Sylvia,

Following up on Julie's message in August, I would like to file for my travel reimbursement. Can you advise me how to do so?

Thanks,
Bob Burgdorf

From: Julie Carroll [JCarroll@ncd.gov]
Sent: Tuesday, August 13, 2013 10:12 AM
To: Sylvia Meniffee
Cc: Jeff Rosen; Rebecca Cokley; Burgdorf, Robert
Subject: Travel Reimbursement for Robert Burgdorf

Hi Sylvia,
Jeff and Gary approved transportation expenses for Robert Burgdorf to come to Washington for the release of the ADAAA report. Would you please let him know how to file for that reimbursement? He is cc'd here.
Thanks very much.
Julie

--
Dave Allen
Employee Relations Specialist
301 7th Street SW
Room 1619
Washington, DC 20407
David.Allen@GSA.gov
202-690-9475
FAX 202-205-2546 (Please call or email if faxing so that I can retrieve it)

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [David Allen - WPG-C](#)
[Lisa Brown-Gilmore - CPWA \(lisa.gilmore@gsa.gov\)](mailto:lisa.gilmore@gsa.gov)
Date: 9/24/2013 9:33:26 AM
Subject: FW: Please Respond ASAP

fyi.

From: Gary Blumenthal <garyblumenthal@addp.org>
Sent: Tuesday, September 24, 2013 9:28 AM
To: Sylvia Jones
Cc: Jeff Rosen
Subject: Please Respond ASAP

Sylvia,

I still need a response from you regarding Stephanie Orlando's inquiry and the status of the Cooperative Agreement extension.

As the Council member who has worked with you the most and tried to assist you as you have requested I need the same in return from you now. I have left numerous VMs, emails and phone messages with Stacey. Please return my calls as a professional courtesy.

Gary H. Blumenthal

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:Jrosen@ncd.gov)
To: [David Allen - WPG-C](#)
[Lisa Brown-Gilmore - CPWA \(lisa.gilmore@gsa.gov\)](mailto:lisa.gilmore@gsa.gov)
Date: 9/24/2013 8:15:44 AM
Subject: FW: Admin support for KS and other questions.

Dave & Lisa -

An example of Gary's ignored emails and phone calls about something so simple, getting a temp in place.

We cannot continue to spend hours and hours managing her to manage her job duties.

Then I get the most disrespectful email response back from Sylvia instructing me about my areas off authority. Then I'm told not to respond to it although that's an instant firing offense most anywhere in the world. How is that possible, only in the Federal government? Hmmm.....

-Jeff

From: Gary Blumenthal <garyblumenthal@addp.org>
Sent: Monday, September 23, 2013 1:15 PM
To: Sylvia Jones; Jeff Rosen; Sylvia Jones
Subject: FW: Admin support for KS and other questions.

Sylvia,

At Jeff's direction we have made a contact to provide local Administrative support for the Oct 7 and 8th meeting. As you requested an estimate is below.

Could you please provide me with the information we need on how we can provide payment to the individual who will provide administrative support.

Also, I left a voice mail message for you asking you to clarify for me if Stephanie Orlando would be paid for her late travel reimbursements. Could you let me know today what I should tell Ms. Orlando.

Also, when I was unable to reach Gerri on Friday or first thing Monday, I asked Robyn Powell to work with me on a modification to the Cooperative Agreement that has been approved to be modified to add \$80,000, I will have that document ready to send to you this afternoon. Would you prefer that I speak to the contractor and obtain her signature also or will you be taking care of that. I am happy to make the contact if that would help in the crush of these last days in the fiscal year.

Gary

From: Ellen Piekalkiewicz [mailto:ellenzp@yahoo.com]
Sent: Monday, September 23, 2013 12:46 PM
To: rosen@ncd.gov; Gary Blumenthal
Subject: Admin support for KS

Jeff and Gary, I have secured an individual, Wendy Nichols who is a contractor who does meeting planning. She will check all the items sent by NCD to Kansas and bring them to the Statehouse around 7:30 a.m. on October 7 and set up the room. She will remain for the course of the two days to take care of any administrative work you might need.

I estimated that she will need 4 hours of preparation before the meeting to check on the paperwork and bring it to the Statehouse so a total of 25 hours at \$25 per hours for a total of \$625. What format should she send an invoice and to whom at NCD?

You should mail the NCD materials to

**Disability Rights of Kansas
ATTN Wendy Nichols**

635 SW Harrison St., Ste 100. Topeka, KS 66603

(b) (5)

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [David Allen - WPG-C](#)
[Lisa Brown-Gilmore - CPWA \(lisa.gilmore@gsa.gov\)](mailto:lisa.gilmore@gsa.gov)
Date: 9/25/2013 10:01:20 AM
Subject: FW: Prior Approval Request

From: Gary Blumenthal
Sent: Wednesday, September 18, 2013 10:03 PM
To: Kamilah Martin-Proctor; Jeff Rosen
Cc: Rebecca Cokley
Subject: RE: Prior Approval Request

Per agreement and acceptance by Jeff, I approve as acts on behalf of NCD.

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: Kamilah Martin-Proctor <KMartin-Proctor@ncd.gov>
Date: 09/18/2013 11:48 AM (GMT-05:00)
To: Jeff Rosen <jrosen@ncd.gov>
Cc: Gary Blumenthal <GBlumenthal@ncd.gov>, Rebecca Cokley <rcokley@ncd.gov>
Subject: Prior Approval Request

Good Morning,

I would like to request approval for ground transportation and travel for the following dates - some have passed but as we move forward and cover all bases it will not happen again:

August

- August 7, 2013 Executive Committee Meeting 12-1pm NCD Executive Committee Meeting
- August 7, 2013 1:30-4:00pm – OPM Reasonable Accommodations Roundtable Presentation
- August 13th – NCD @ WH mtg (12pm-2pm)
- August 27-28th NEA / NCD Conference – disability in the classroom

September

- Sept. 18, 19, 20th – NCD / CBC Disability Awareness and urban living accommodation presentations
- Sept. 30 – Oct2, 2013- NCD / CHCI – Diabetes and disability in the Hispanic Community

October

- October 1, 2013 - 2013 Mayor's Annual Disability Awareness Expo Government of the District of Columbia Office of Disability Rights
- October 7-9, 2013 NCD @ Lawrence, KS

Kamilah O. Martin-Proctor
Council Member
National Council on Disability
1331 F Street, NW, Suite 850
Washington, DC 20004
Ph: 202-272-2004
Fax: 202-272-2022
TTY: 202-272-2074
<http://www.ncd.gov>

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From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [Sylvia Jones](#)
Date: 9/23/2013 11:47:16 AM
Subject: Financial Analyst position

Sylvia,

I am unsure whether Rebecca had an opportunity to convey her directive about the Financial Analyst position thus I am doing so in this email.

Please take the necessary steps to have the OPM certificate available for Rebecca upon her return from maternity leave. She will then initiate any action required to interview and select for that position.

If you have any questions please let me know.

-Jeff

(b) (5)

From: Brad Kliethermes - BCEC <bradley.kliethermes@gsa.gov>

Sent: Friday, December 13, 2013 12:11 PM

To: Rebecca Cokley

Subject: Re: amended timesheets

She called me back and basically said the timecards are in ETAMS but she is not signing them because she does not agree with the Comp time. So we have been paying you each pay period based on the base schedule that is in ETAMS because the timecards are not being signed. I am not sure who best in your agency to raise this issue to but there has to be someone who can direct her to sign these timecards.

Bradley Kliethermes

Supervisory Accountant Payroll Operations

GSA National Payroll Branch (BCEC)

Financial and Payroll Services Division

Office of the Chief Financial Officer

Phone: (816) 823-3906

Fax: (816) 823-5435

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On Fri, Dec 13, 2013 at 10:38 AM, Rebecca Cokley <rcokley@ncd.gov> wrote:

Brad

Please let me know if you do not hear back from her by Monday.

Thank you.
Rebecca

From: Brad Kliethermes - BCEC <bradley.kliethermes@gsa.gov>

Sent: Thursday, December 12, 2013 4:46 PM

To: Rebecca Cokley

Subject: Re: amended timesheets

I do not. I have sent an email to Sylvia to see what she tells me. Once I get that response I will be able to figure out what approach to take to help get this all straightened out.

Bradley Kliethermes

Supervisory Accountant Payroll Operations

GSA National Payroll Branch (BCEC)

Financial and Payroll Services Division

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On Wed, Dec 11, 2013 at 2:59 PM, Rebecca Cokley <rcokley@ncd.gov> wrote:

Following up on this. I notice my leave totals haven't changed. Do you need anything else from me?

Rebecca Cokley

Executive Director

National Council on Disability

1331 F Street NW, Suite 850

Washington, DC 20004

[202-272-2124](tel:202-272-2124) Voice

[202-272-2074](tel:202-272-2074) TTY

[202-272-2022](tel:202-272-2022) Fax

Rcokley@ncd.gov

Website: <http://www.ncd.gov>

From: Brad Kliethermes - BCEC [mailto:bradley.kliethermes@gsa.gov]

Sent: Wednesday, November 27, 2013 10:04 AM

To: Rebecca Cokley
Subject: Re: amended timesheets

I am going to take a look at your records and will probably have to contact sylvia to find out what is going on.

Bradley Kliethermes
Supervisory Accountant Payroll Operations
GSA National Payroll Branch (BCEC)
Financial and Payroll Services Division
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Phone: [\(816\) 823-3906](tel:8168233906)
Fax: [\(816\) 823-5435](tel:8168235435)

Please go to the following link to provide feedback on the service I provided.

<https://spreadsheets.google.com/spreadsheet/viewform?formkey=dEVCVTdXNkdWZF9OWHZmdUgwbnZlaVE6MA>

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On Wed, Nov 27, 2013 at 8:58 AM, Rebecca Cokley <rcokley@ncd.gov> wrote:
Brad

I had to amend my leave slips for the last two weeks because I worked 2 8 hr days each week, unexpectedly. See attached.

Should I expect my leave to be adjusted by the next update to employee express, next Friday?

Rebecca Cokley
Executive Director
National Council on Disability
1331 F Street NW, Suite 850
Washington, DC 20004
[202-272-2124](tel:2022722124) Voice
[202-272-2074](tel:2022722074) TTY
[202-272-2022](tel:2022722022) Fax
Rcokley@ncd.gov
Website: <http://www.ncd.gov>

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2012.0.2242 / Virus Database: 3629/6358 - Release Date: 11/22/13

(b) (5)

From: Sylvia Jones
Sent: Wednesday, September 25, 2013 12:58 PM
To: Jeff Rosen
Cc: Rebecca Cokley; Gary Blumenthal; Sylvia Jones
Subject: FW: Agency contingency plan

Jeff,

As previously stated, it is the responsibility of the Executive Director to prepare the Agency Contingency Plan. Both you and Rebecca were notified and became aware of OMB's request on September 18, 2013 at 10:22 a.m. during which time both you and Rebecca were in the office for staff meeting. However neither of you took any action to ensure the plan was completed knowing that Rebecca would be going out on maternity leave. In fact, Rebecca never mentioned the request and you waited until she went out on maternity leave to unlawfully direct me to perform her duties. There are two additional office director's in NCD: 1) Gerrie Drake Hawkins; and 2) Anne Sommers. Out of the three director's here, I am the only director being targeted by you.

The Executive Director was negligent in her duties by not appointing an interim Executive Director to ensure the plan and/or any other deliverables for which she was responsible were carried out. Per Office Directors...staff were informed by you during the staff meeting on Sept 18 that there was not a need for an Interim ED when Dr. Hawkins posed the question to you and Rebecca as to who would supervise the staff. Thus, I cannot understand why you continue to send me daily harassing emails to interrupt the order of the day to day operations issuing me unlawful directives.

Again, you are acting outside the scope of your authority. Please cease and desist further communication with me until the Executive Director returns to duty. If these actions continue to persist I will be forced to seek civil remedies.

As of September 19, 2013, I do not have a supervisor until Nov 4 when Rebecca returns to duty part-time. Therefore this is my last email to you.

Sylvia

From: Jeff Rosen
Sent: Wednesday, September 25, 2013 11:01 AM
To: Sylvia Jones
Cc: Rebecca Cokley; Gary Blumenthal
Subject: RE: Agency contingency plan

Sylvia,

Again I must resort to providing you with a direct order. Failure to follow this order could result in discipline up to and including removal.

While I understand that you are busy with end of year duties, and I recognize your comment that the contingency plan would normally be the responsibility of the Executive Director, I am ordering you to prepare the draft contingency plan as I requested in my email to you on Friday, September 20, 2013. You are directed to have the draft plan available for me and Gary by COB today.

-Jeff

From: Sylvia Jones
Sent: Wednesday, September 25, 2013 10:11 AM
To: Jeff Rosen
Cc: Rebecca Cokley; Gary Blumenthal; Sylvia Jones
Subject: RE: Agency contingency plan

Jeff,

This is one of duties of the Executive Director. As you are aware, she did not appoint an successor in her planned absence and due to an abundance of work to include budget close out I am unable to take on additional responsibilities outside the scope of my duties.

Sylvia

From: Jeff Rosen
Sent: Wednesday, September 25, 2013 9:45 AM
To: Sylvia Jones
Cc: Rebecca Cokley; Gary Blumenthal
Subject: RE: Agency contingency plan

Sylvia -

This is a reminder that the draft contingency plan is due from you to Gary and myself no later than COB today.

I met with OMB yesterday and our budget examiner wrote to me this morning that the plan would be ideally provided them by tomorrow, but must be submitted no later than this Friday.

-Jeff

From: Jeff Rosen
Sent: Friday, September 20, 2013 4:26 PM
To: Sylvia Jones
Cc: Rebecca Cokley; Gary Blumenthal
Subject: Agency contingency plan

Sylvia -

OMB requires federal agencies to submit a plan next week for how they would stop operations if there is a lapse of funding. Please draft such a plan for Gary and my review by COB next Wednesday September 25th. NCD should have developed a similar plan for the 2011 potential shutdown which never occurred so there may be something already on file. Feel free to contact Aaron Bishop if you would like to see if he has any information from the time he was NCD's ED.

-Jeff

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [Scott Royster - BCED](#)
Date: 9/26/2013 9:02:00 PM
Subject: RE: Help from GSA for NCD

Thanks Scott.

NCD does not have a designated procurement/contracting officer. (b) (5)

[REDACTED] Gary and I are handling the procurement decisions, approving expenditures and signing obligating documents.

Rebecca as the agency ED is in the process of receiving training to become the agency procurement/contracting officer. We have contacted GSA to receive an estimate to provide us with procurement support and we would appreciate your help in putting into place an agreement with GSA for that service.

It is our intent to keep Sylvia performing the full scope of her responsibilities. She would keep track of the funding being obligated. However she has refused on a number of occasions to assist with preparing the appropriate documents. She also has other conduct issues which GSA HR is assisting us with. In light of the ongoing issues with her and the possibility she will be unavailable for a variety of reasons, we would like to have a temporary staff person as a back up. You've indicated before that you could help us procure someone, we would like that person onboard asap. This temp would help ensure that NCD has timely financial document preparation and obligation reporting in the event Sylvia becomes unavailable for any significant period of time.

GSA's role would be to establish controls around the process, advise us about the proper procedures, keep us informed about our financial status and assist with various questions as you have done recently. This role would be temporary until NCD fills the two financial positions who are then trained by GSA.

Appreciate it.

-Jeff

From: Scott Royster - BCED <ronald.royster@gsa.gov>

Sent: Thursday, September 26, 2013 5:41 PM

To: Jeff Rosen

Cc: Gary Blumenthal; David Allen - WPG-C; Lisa Brown-Gilmore - CPWA; scott.royster@gsa.gov; Rebecca Cokley; Vickie Jones; Michael Swanchara - BC; Marisa Quinlivan; Julianne White; Michele R. Nokes

Subject: Re: Help from GSA for NCD

Jeff, Gary,

I think all of these things fall within the scope of your current interagency agreements with GSA. My office can clearly help you in monitoring your FY13 and FY14 funding and the status of financial actions. We can also serve as a resource to help you in clarifying financial policy and/or direct you to the authoritative source.

As you stated below, NCD will have to maintain the responsibility for operating and procurement decisions, approving expenditures, signing obligating documents, etc. We can help you track and maintain your current financial position, as long as we know what funding is being obligated. You will need someone who can continue to prepare documents for the agency. We can provide the training and assistance necessary for coding the documents appropriately. We can also help you establish a method of tracking approved obligations and monitoring those against your budget.

For procurement activities (not show who your procurement/contracting officer is today), we can work with other GSA offices to help you through procurement activities. We have some offices that can do procurement work and/or provide you with the appropriate procurement policies that must be followed. My office can not do the procurements on your behalf as we do not have a contracting officer/procurement specialist in place.

Is your intent to remove Sylvia from the process or just to establish controls around the process and advise on the correct procedures that need to be followed? If you are going to remove her from the process, they you may want to get a temporary staff person who can process documents. We can assist you in providing oversight and direction, but you will need an on-site person who can keep things moving along.

The other emails today are perfect examples of how we can provide assistance to ensure the proper rules are being followed. Is this what you had in mind until you can hire a permanent resource and get them trained?

Scott

R. Scott Royster
Chief, External Services Branch (BCED)
Financial and Payroll Services Division (BCE)
Office of the Chief Financial Officer
General Services Administration
Phone 816-926-5072
Cell 816-(b) (6)
scott.royster@gsa.gov or ronald.royster@gsa.gov

On Tue, Sep 24, 2013 at 8:31 PM, Jeff Rosen <jrosen@ncd.gov> wrote:

Gary -

Thanks for following up with GSA on this.

Scott, where we are is that Sylvia Menifee, NCD's Director of Administration told us last July that we would have approximately \$45K excess funds to reallocate. Her guidance was to wait until about September 16th to get a new status of funds to more accurately reallocate. At that time she advised us we now had about \$200K of excess funds. She then virtually disappeared and was not cooperative with NCD managers in attempting to timely reallocate the excess funds. She has continually obstructed NCD financial operations, saying bad or illegal contract or process abd refusing to do anything more.

To ensure that NCD is not placed in this position again, NCD has voted to realign the 2 financial positions under her - Financial Analyst and Administrative Specialist to report directly to the Executive Director while providing the Director of Administration support for her duties. This realignment will provide additional safeguards and oversight. We expect to fill those positions in the late Fall or early Winter when the ED returns from maternity leave.

What we need is temporary support to help us bridge the gap from now until when we hire and train the new personnel. We would be pleased if that additional temporary support came from GSA, they have provided us with excellent HR support. However, it is very important that the support be very responsive as GSA HR has been. If you or your colleagues at GSA can do that for us, that's great we wont need a temp. If its not possible to get "in time" support from GSA, maybe we should consider hiring a temp and your help in obtaining one if we go that route would be appreciated. Again we prefer to go with GSA if possible. We understand that in any event, the operating and procurement decisions must be made by the heads of the agency, that's not an issue for us. We just

need good advice about what to do and how to do it.

I've started below a list of the financial related tasks and functions we need support on:

- Helping us determine exactly how much funds we have remaining in FY '13;
- Helping us determine whether we can obligate remaining FY'13 funds;
- Provide a resource for our financial management related questions;
- Reviewing the status of funds at the outset of '14 and advising about NCD's financial positions and management;
- Identifying appropriate procurement vehicles for NCD obligations; and
- Identifying appropriate financial and other operational management tasks that the Director of Administration must perform to ensure NCD is financially sound and is able to accomplish all of its financial and operational needs.

Gary might have other items to add to the above.

Once we have a temporary financial support person in place, we will provide specific tasks that the person will be asked to assist us and avail ourselves to that resource on an ongoing basis as issue arise in managing the Director of Administration.

Thanks.

-Jeff

From: Gary Blumenthal <garyblumenthal@addp.org>
Sent: Tuesday, September 24, 2013 4:05 PM
To: Jeff Rosen; David Allen - WPG-C; Lisa Brown-Gilmore - CPWA
Cc: scott.royster@gsa.gov
Subject: Help from GSA for NCD

Jeff,

I have spoken with Scott Royster at GSA Kansas City. GSA is willing to assist us, however we need to explain and list in detail the functions we want them to perform. They are also willing to train any additional personnel we bring on, such as the financial analyst and they will help us procure a temp if we choose that route, however they need us to understand the limitations of what a temp may perform. Some duties cannot be given to a contractor or temp, however if we vest those duties in the executive director we may be able to proceed. I have discussed procurements, timekeeping and contractual problems we are having with the incumbent.

Can you or David or Lisa assist me in how we should respond to Scott's kind offer of assistance?

Thank you.

Gary

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:Jeff.Rosen@ncd.gov)
To: [Matt Conrad - CB](#)
[Sylvia Jones](#)
Date: 9/27/2013 10:16:46 AM
Subject: RE: FY12 SLA- NCD

Thank you Matt.

Other NCD managers were not made aware of this need until informed by GSA yesterday.

We will execute this by noon on Monday. Sylvia will let us know before then if there are any issues.

Please continue to copy Rebecca and myself in all further correspondence related to this.

Appreciate it.

-Jeff

From: Matt Conrad - CB <matthew.conrad@gsa.gov>
Sent: Friday, September 27, 2013 10:04 AM
To: Sylvia Jones
Cc: Rebecca Cokley; Jeff Rosen
Subject: Re: FY12 SLA- NCD

Sylvia,

Thank you for your response. We've made some slight changes to SLA, new version is attached. We need SLA back by noon on Monday to ensure continued service.

Thank you.

--

Matt Conrad
Agency Liaison Division
Office of the Chief People Officer
U.S. General Services Administration
(202) 690-8906 desk
(202) 770-8731 mobile

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On Fri, Sep 27, 2013 at 9:47 AM, Sylvia Jones <sjones@ncd.gov> wrote:
Hi Matt,

My apologies...due to end of year budget close out I have not had an opportunity to thoroughly review. However I will do so and get it back to you as soon as possible.

Thank you,
Sylvia

From: Matt Conrad - CB <matthew.conrad@gsa.gov>

Sent: Friday, September 27, 2013 9:14 AM

To: Sylvia Jones

Subject: Re: FY12 SLA- NCD

Good morning Ms. Meniffee,

Friendly follow-up to email below. Do you have any questions/concerns regarding the SLA?

Thank you.

--

Matt Conrad
Agency Liaison Division
Office of the Chief People Officer
U.S. General Services Administration
[\(202\) 690-8906](tel:(202)690-8906) desk
[\(202\) 770-8731](tel:(202)770-8731) mobile

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On Fri, Sep 13, 2013 at 12:04 PM, Matthew Conrad - CB <matthew.conrad@gsa.gov> wrote:

Ms. Meniffee,

My apologies. The "subject" line is meant to read "FY14 SLA- NCD". Was moving too fast. My apologies.

--

Matt Conrad
Agency Liaison Division
Office of the Chief People Officer
U.S. General Services Administration
[\(202\) 690-8906](tel:(202)690-8906)

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On Fri, Sep 13, 2013 at 11:49 AM, Matthew Conrad - CB <matthew.conrad@gsa.gov> wrote:
Ms. Meniffee,

As referenced in our earlier email of August 29, your FY 14 Service Level Agreement with GSA for human resources, legal, EEO and other administrative support services is attached for your review and signature. We have transitioned to a new pricing model for FY 14 that establishes prices based on the number of personnel supported. However if your FY 13 price was lower than your FY 14 projected price using the new pricing model, you are guaranteed the lower of the two prices for FY 14 and 15. In FY 16, all Service Level Agreements will be priced based on the new pricing model. This will allow you adequate time to budget for this requirement. For FY 14, budget services previously provided by ALD are now being provided by GSA's FISC. Prices have been adjusted to reflect this change.

We have been going through a transition period as we have reorganized to provide services more efficiently. The fiscal climate has created challenges for all of us. However, we are committed to providing you the best possible service at the lowest possible price. You are our most valuable asset. We know that. You are our partners in serving our nation. Our goal is to get customer service on a continual uptrend, always working to improve and provide you the best service. We are not there yet, but our commitment to you is to work to attain that end.

If you have any questions about your FY 14 Service Level Agreement, please contact me or Tom Hodnett and we will do our best to answer your questions. Our contact information is as follows:

Matt Conrad [\(202\) 690-8906](tel:(202)690-8906) matthew.conrad@gsa.gov
Tom Hodnett [\(202\) 205-2900](tel:(202)205-2900) tom.hodnett@gsa.gov

Otherwise, please sign and return the attached agreement by COB Thursday, September 26, 2013. Please scan and email a signed copy to tom.hodnett@gsa.gov, and mail the original signed version to the following:

General Services Administration
Attn: Tom Hodnett
1800 F St., Room 7003D
Washington, DC 20006

Our intent this year is to have all the GSA service providers to sign each agreement to show their commitment to providing you the best service. When all signatures are obtained, a copy will be provided to you for your files.

Please do not hesitate to contact us if you have any questions. We appreciate you as customers and look forward to continuing to support you in the future.

Thank you.

—

Matt Conrad
Agency Liaison Division
Office of the Chief People Officer
U.S. General Services Administration
[\(202\) 690-8906](tel:(202)690-8906)

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(b) (5)

From: Jeff Rosen
Sent: Tuesday, September 24, 2013 8:21 AM
To: Lisa Brown-Gilmore - CPWA (lisa.gilmore@gsa.gov); David Allen - WPG-C
Cc: Rebecca Cokley
Subject: FW: YOUR APPROVAL REQUESTED: NCD Realignment

Lisa & Dave -

The Executive Committee voted to approve the realignment.

I always strive to act in a transparent way with the full Council about any of its official business.

I would appreciate your assistance in drafting an email from me to the Council members notifying them of the Executive Committee action.

I would also appreciate your drafting an email to NCD staff notifying them of the organizational change. I leave it to you whether a separate email to Sylvia is appropriate.

Thanks.

-Jeff

From: Jeff Rosen
Sent: Monday, September 23, 2013 9:23 AM
To: Kamilah Martin-Proctor; Stephanie Orlando; Clyde Terry; Clyde Terry; Lynnae Rutledge; Gary Blumenthal; garyblumenthal@addp.org
Cc: Rebecca Cokley; Terri Voth
Subject: YOUR APPROVAL REQUESTED: NCD Realignment

Dear Executive Committee members -

As you know we recently had some difficulty with our end-of-year budget. While we are working to deal with that immediate issue, we also have to address the underlying cause so that we prevent future problems in this area. What Rebecca and I propose is that the two positions (Financial Analyst and Administrative Specialist) currently reporting to Ms. Sylvia Meniffee supporting the Financial Management of the agency be realigned to now report directly to Rebecca. Ms. Meniffee will continue with her current duties as primary contact for Financial Management issues and will continue to be supported by the positions realigned to report to Rebecca.

It is our belief that this realignment will allow for better monitoring of the Financial Management functions and assist management in becoming involved earlier with issues which need their attention. Your approval of this proposed realignment is requested.

-Jeff

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [Sylvia Jones](#)
Date: 9/25/2013 9:49:46 AM
Subject: Stacey Brown's assistance

Sylvia -

Janni has requested that Stacey assist with administrative and other support needs for the NCD co-hosted event tomorrow from 9-12 at the BEP.

We appreciate your making him available for this event.


-Jeff

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [David Allen - WPG-C](#)
[Lisa Brown-Gilmore - CPWA \(lisa.gilmore@gsa.gov\)](mailto:lisa.gilmore@gsa.gov)
Date: 9/25/2013 9:59:50 AM
Subject: FW: global summit on accessibility technology/apps for older adults, 6/6, Washington DC

Sylvia refuses to process her travel expenses although I approved her travel.

From: Kamilah Martin-Proctor Sent: Tuesday, September 24, 2013 12:08 PM To: Sylvia Jones Cc: Jeff Rosen; Gary Blumenthal Subject: FW: global summit on accessibility technology/apps for older adults, 6/6, Washington DC It's The Principle of the Thing Additional emails to follow to confirm that I had Jeff's permission to attend the conference. Kamilah O. Martin-Proctor Council Member National Council on Disability 1331 F Street, NW, Suite 850 Washington, DC 20004 Ph: 202-272-2004 Fax: 202-272-2022 TTY: 202-272-2074 <http://www.ncd.gov> CONFIDENTIALITY NOTICE: The information contained in this electronic correspondence is intended solely for the individual or entity named above and access by anyone else is unauthorized. If you are not the intended recipient, any disclosure, copying, distribution, or use of the contents of this information is prohibited without express permission. If you have received this electronic transmission in error, please reply immediately to the sender that you have received the message in error, and delete it. Thank you. The information contained herein does not reflect any official position or statement of the Members or staff of the National Council on Disability (NCD).

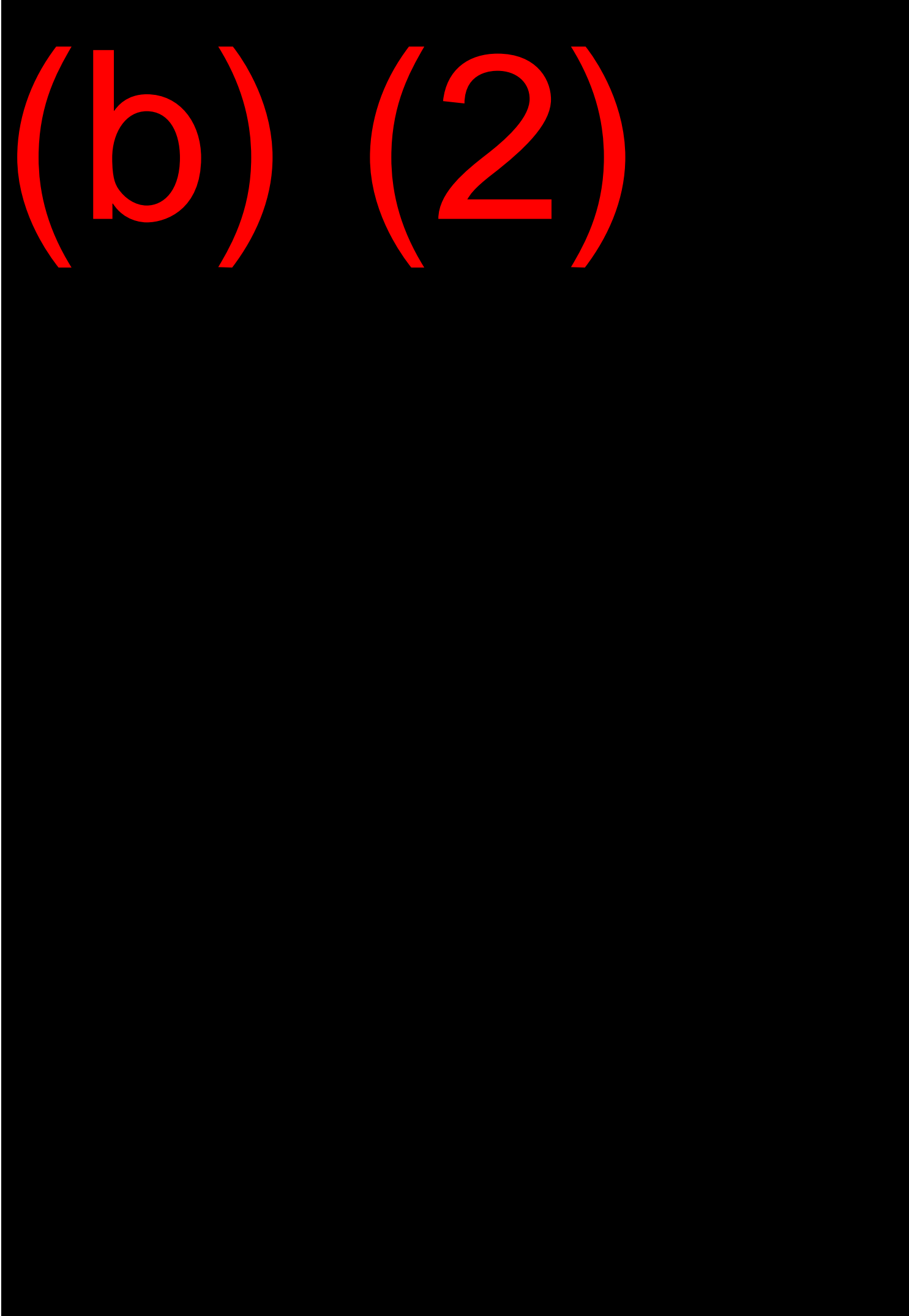
(b) (2)



(b) (5)

(b) (5)

(b) (2)



(b) (2)

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [Rebecca Cokley](#)
[Brad Kliethermes - BCEC](#)
Date: 12/13/2013 1:24:46 PM
Subject: RE: amended timesheets

If Sylvia was indisposed for a significant period of time for some reason, there must be an alternative arrangement to allow the agency to sign the timecards to have them processed. So I'm asking Brad again, can we have someone else at the agency sign the timecards?

Thanks.

-Jeff

From: Rebecca Cokley
Sent: Friday, December 13, 2013 12:19 PM
To: Jeff Rosen; Brad Kliethermes - BCEC
Cc: Lisa Brown-Gilmore - CPWA
Subject: RE: amended timesheets

Nope, this is what we ran into before, with getting the comp approved in the first place.

Rebecca

From: Jeff Rosen
Sent: Friday, December 13, 2013 12:19 PM
To: Rebecca Cokley; Brad Kliethermes - BCEC
Cc: Lisa Brown-Gilmore - CPWA
Subject: RE: amended timesheets

Brad -

Can someone else at NCD sign these timecards?

Thanks.

-Jeff

From: Rebecca Cokley
Sent: Friday, December 13, 2013 12:17 PM
To: Brad Kliethermes - BCEC
Cc: Lisa Brown-Gilmore - CPWA; Jeff Rosen
Subject: RE: amended timesheets

Brad

I'm cc'ing Lisa at GSA and my boss, the chairperson Jeff Rosen (as my supervisor). As you know, Mr. Rosen approved the comp time and we have the documentation. I'm not sure what our next step is. Maybe the two of them have an idea.

Rebecca

From: Brad Kliethermes - BCEC <bradley.kliethermes@gsa.gov>
Sent: Friday, December 13, 2013 12:11 PM
To: Rebecca Cokley
Subject: Re: amended timesheets

She called me back and basically said the timecards are in ETAMS but she is not signing them because she does not agree with the Comp time. So we have been paying you each pay period based on the base schedule that is in ETAMS because the timecards are not being signed. I am not sure who best in your agency to raise this issue to but there has to be someone who can direct her to sign these timecards.

Bradley Kliethermes
Supervisory Accountant Payroll Operations
GSA National Payroll Branch (BCEC)
Financial and Payroll Services Division
Office of the Chief Financial Officer
Phone: (816) 823-3906
Fax: (816) 823-5435

Please go to the following link to provide feedback on the service I provided.

<https://spreadsheets.google.com/spreadsheet/viewform?formkey=dEVCVTdXNkdWZF9OWHZmdUgwbnZlaVE6MA>

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On Fri, Dec 13, 2013 at 10:38 AM, Rebecca Cokley <rcokley@ncd.gov> wrote:

Brad

Please let me know if you do not hear back from her by Monday.

Thank you.
Rebecca

From: Brad Kliethermes - BCEC <bradley.kliethermes@gsa.gov>
Sent: Thursday, December 12, 2013 4:46 PM
To: Rebecca Cokley
Subject: Re: amended timesheets

I do not. I have sent an email to Sylvia to see what she tells me. Once I get that response I will be able to figure out what approach to take to help get this all straightened out.

Bradley Kliethermes
Supervisory Accountant Payroll Operations
GSA National Payroll Branch (BCEC)
Financial and Payroll Services Division
Office of the Chief Financial Officer
Phone: [\(816\) 823-3906](tel:(816)823-3906)
Fax: [\(816\) 823-5435](tel:(816)823-5435)

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On Wed, Dec 11, 2013 at 2:59 PM, Rebecca Cokley <rcokley@ncd.gov> wrote:

Following up on this. I notice my leave totals haven't changed. Do you need anything else from me?

Rebecca Cokley
Executive Director
National Council on Disability
1331 F Street NW, Suite 850
Washington, DC 20004
[202-272-2124](tel:202-272-2124) Voice
[202-272-2074](tel:202-272-2074) TTY
[202-272-2022](tel:202-272-2022) Fax
Rcokley@ncd.gov
Website: <http://www.ncd.gov>

From: Brad Kliethermes - BCEC [mailto:bradley.kliethermes@gsa.gov]
Sent: Wednesday, November 27, 2013 10:04 AM
To: Rebecca Cokley
Subject: Re: amended timesheets

I am going to take a look at your records and will probably have to contact sylvia to find out what is going on.

Bradley Kliethermes
Supervisory Accountant Payroll Operations
GSA National Payroll Branch (BCEC)
Financial and Payroll Services Division
Office of the Chief Financial Officer
Phone: [\(816\) 823-3906](tel:816-823-3906)
Fax: [\(816\) 823-5435](tel:816-823-5435)

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On Wed, Nov 27, 2013 at 8:58 AM, Rebecca Cokley <rcokley@ncd.gov> wrote:
Brad

I had to amend my leave slips for the last two weeks because I worked 2 8 hr days each week,

unexpectedly. See attached.

Should I expect my leave to be adjusted by the next update to employee express, next Friday?

Rebecca Cokley
Executive Director
National Council on Disability
1331 F Street NW, Suite 850
Washington, DC 20004
[202-272-2124](tel:202-272-2124) Voice
[202-272-2074](tel:202-272-2074) TTY
[202-272-2022](tel:202-272-2022) Fax
Rcokley@ncd.gov
Website: <http://www.ncd.gov>

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2012.0.2242 / Virus Database: 3629/6358 - Release Date: 11/22/13

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:Jrosen@ncd.gov)
To: [Lisa Brown-Gilmore - CPWA](#)
Date: 12/2/2013 2:19:32 PM
Subject: FW: Executive Director

From: Jeff Rosen
Sent: Tuesday, September 17, 2013 10:25 PM
To: NCD-Board-Members; NCD-Staff
Subject: Executive Director

Dear Council members and staff -

As you know, Rebecca is scheduled for maternity leave beginning next week. By all accounts internally & externally to NCD, Rebecca has been doing a fantastic job. We are excited about meeting her newborn and look forward to her rejoining NCD upon her return in 3-4 weeks, which she will do so by teleworking part-time until approximately the end of the year.

We have made a diligent examination of how to handle Rebecca's temporary leave. We decided that the current staff simply have overflowing work responsibilities and tasks and it would be too much to ask any of them to act in Rebecca's stead. We considered bringing someone from outside who has experience with federal agency administration and disability policy issues and met with 3 candidates. However, for a variety of reasons, none of them worked out.

Thus, after consulting with the Executive Committee and Rebecca, I will not designate an acting ED for the interim. Each supervisor for the 3 NCD departments - policy, legislative and administration - will continue the operations of their respective departments during this period as directed by the Council. Gary has the delegated authority to sign off on any NCD financial matters. I will sign off on any other NCD operational paperwork as the head of the agency. Any matters which require the ED's involvement which should not wait until Rebecca's return will be referred to the Chair. On those matters I will consult with the Executive Committee if warranted.

Thank you for your team work during this time.

-Jeff

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:Jrosen@ncd.gov)
To: [Lisa Brown-Gilmore - CPWA \(lisa.gilmore@gsa.gov\)](mailto:lisa.gilmore@gsa.gov)
[David Allen - WPG-C](#)
Date: 9/24/2013 4:56:46 PM
Subject: FW: Admin support for KS and other questions.

From: Gary Blumenthal
Sent: Tuesday, September 24, 2013 4:32 PM
To: Sylvia Jones
Cc: Jeff Rosen
Subject: RE: Admin support for KS and other questions.

Sylvia,

Thank for responding. As Nick can tell you we have had problems today with my NCD mailbox, so please send email to my addp.org address. I just saw this now after Jeff advised me to look in the NCD mailbox.

I do not know what a DUNS# number means. Could you please tell me if we can pay her the \$625 that will be sent to us as a statement.

Gary

From: Sylvia Jones
Sent: Tuesday, September 24, 2013 10:30 AM
To: Gary Blumenthal
Cc: Sylvia Jones
Subject: FW: Admin support for KS and other questions.

Gary,

In order to secure services from Ms. Nichols she must have a TAX ID and DUNS #. These type of services are generally procured via a purchase order. However we should not involve the agency in a contract or obligation for payment prior to receiving FY-14 appropriation. If NCD receives its FY-14 apportionment prior to this date this will not be an issue.

Sylvia

From: Gary Blumenthal <garyblumenthal@addp.org>
Sent: Monday, September 23, 2013 1:15 PM
To: Sylvia Jones; Jeff Rosen; Sylvia Jones
Subject: FW: Admin support for KS and other questions.

Sylvia,

At Jeff's direction we have made a contact to provide local Administrative support for the Oct 7 and 8th meeting. As you requested an estimate is below.

Could you please provide me with the information we need on how we can provide payment to the individual who will provide administrative support.

Also, I left a voice mail message for you asking you to clarify for me if Stephanie Orlando would be paid for her late travel reimbursements. Could you let me know today what I should tell Ms. Orlando.

Also, when I was unable to reach Gerri on Friday or first thing Monday, I asked Robyn Powell to work with me on a modification to the Cooperative Agreement that has been approved to be modified to add \$80,000, I will have that document ready to send to you this afternoon. Would you prefer that I speak to the contractor and obtain her signature also or will you be taking care of that. I am happy to make the contact if that would help in the crush of these last days in the fiscal year.

Gary

From: Ellen Piekalkiewicz [mailto:ellenzp@yahoo.com]
Sent: Monday, September 23, 2013 12:46 PM
To: rosen@ncd.gov; Gary Blumenthal
Subject: Admin support for KS

Jeff and Gary, I have secured an individual, Wendy Nichols who is a contractor who does meeting planning. She will check all the items sent by NCD to Kansas and bring them to the Statehouse around 7:30 a.m. on October 7 and set up the room. She will remain for the course of the two days to take care of any administrative work you might need.

I estimated that she will need 4 hours of preparation before the meeting to check on the paperwork and bring it to the Statehouse so a total of 25 hours at \$25 per hours for a total of \$625. What format should she send an invoice and to whom at NCD?

You should mail the NCD materials to

Disability Rights of Kansas
ATTN Wendy Nichols

635 SW Harrison St., Ste 100. Topeka, KS 66603

(b) (5)

From: Marina Gelles <mgelles@devis.com>
Sent: Thursday, September 19, 2013 2:31 PM
To: Jeff Rosen
Cc: Anne Sommers; Gary Blumenthal
Subject: Re: NCD contract extension with DEVIS

Jeff,

I have revised the quote accordingly and prepared the Memorandum to request the contract's extension - already executed by DEVIS - pending NCD signature. Could you please look the attached documents over and let me know if there is anything else needed, in order to proceed with the contract extension? Thank you so much.

Marina

Marina Gelles
Contracts Compliance Manager
Development InfoStructure, Inc. (Devis)
RRB Office:
RRB - Office Tower, #700
1300 Pennsylvania Ave. NW
Washington DC 20004
Phone: 202-204-3080

Arlington Office:
2101 Wilson Boulevard Suite 300
Arlington, VA 22201
mgelles@devis.com
mgelles@usaid.gov
Phone: 703.525.6485
Fax: 703.525-6029

From: "Jeff Rosen" <jrosen@ncd.gov>
To: "Marina Gelles" <mgelles@devis.com>
Cc: "Anne Sommers" <ASommers@ncd.gov>, "Gary Blumenthal" <GBlumenthal@ncd.gov>
Sent: Thursday, September 19, 2013 1:03:30 PM
Subject: RE: NCD contract extension with DEVIS

Thank you Marina.

The two items following basic hosting and tech support in section 2.2 are not needed for an extension. As for the last item in that section, we only need a few pages of document posting than the quote.

Thus, our needs are as follows:

- Website hosting \$7,500
- Remote technical support \$3,000
- Document posting (5 pages at \$9.56/page) \$47.80
- **TOTAL: \$10,547.80**

Could you promptly revise the quote to reflect the above & resend to us? Also, can you please send a formal agreement to extend for us to execute? We would like to get this done by COB tomorrow.

Thanks.

-Jeff

From: Marina Gelles <mgelles@devis.com>
Sent: Wednesday, September 18, 2013 2:26 PM
To: Jeff Rosen
Cc: Anne Sommers
Subject: RE: NCD contract extension with DEVIS

Jeff,

I apologize for the delay as Jake Stone is still out sick. Please find attached the quote Jake has developed for the services to be provided from October 1 through December 31, 2013.

Should you need additional documents, please let me know.

Kind regards,
Marina

Marina Gelles
Contracts Compliance Manager
Development InfoStructure, Inc. (Devis)
RRB Office:

RRB - Office Tower, #700
1300 Pennsylvania Ave. NW
Washington DC 20004
Phone: 202-204-3080

Arlington Office:

2101 Wilson Boulevard Suite 300
Arlington, VA 22201
mgelles@devis.com
mgelles@usaid.gov
Phone: 703.525.6485
Fax: 703.525-6029

From: Jeff Rosen [<mailto:jrosen@ncd.gov>]
Sent: Tuesday, September 17, 2013 9:58 PM
To: Marina Gelles
Cc: Anne Sommers
Subject: RE: NCD contract extension with DEVIS

Where are we on this? Thanks.

From: Marina Gelles <mgelles@devis.com>
Sent: Monday, September 16, 2013 10:42 AM
To: Jeff Rosen
Cc: Anne Sommers
Subject: RE: NCD contract extension with DEVIS

Jeff,

Thank you for your email. Unfortunately, Jake Stone, the PM, is out sick today but Jake assured me that he should be able to have the quote today, tomorrow morning at the latest.

I apologize for the inconvenience.

Kind regards,
Marina

Marina Gelles
Contracts Compliance Manager
Development InfoStructure, Inc. (Devis)

RRB Office:

RRB - Office Tower, #700
1300 Pennsylvania Ave. NW
Washington DC 20004
Phone: 202-204-3080

Arlington Office:

2101 Wilson Boulevard Suite 300
Arlington, VA 22201
mgelles@devis.com
mgelles@usaid.gov
Phone: 703.525.6485
Fax: 703.525-6029

From: Jeff Rosen [<mailto:jrosen@ncd.gov>]
Sent: Saturday, September 14, 2013 12:15 PM
To: Marina Gelles
Cc: Anne Sommers; Jake Stone
Subject: RE: NCD contract extension with DEVIS

Marina -

We need something this Monday 9/16. Again, we are looking to a few months extension as a precursor to a longer-term new contract.

Thank you.

-Jeff

From: Marina Gelles <mgelles@devis.com>
Sent: Thursday, September 12, 2013 3:58 PM
To: Jeff Rosen
Cc: Anne Sommers; Jake Stone
Subject: Re: NCD contract extension with DEVIS

Jeff,

Thank you so much for your email.

We are pleased to be able to work with the NCD on this important project and look forward to the contract's extension. I am copying Jake Stone, our Project Manager, who will follow-up to confirm the requirements and will provide a quote.

Should you have any questions on contractual issues, please do not hesitate to contact me at any time.

Kind regards,
Marina

Marina Gelles
Contracts Compliance Manager
Development InfoStructure, Inc. (Devis)
RRB Office:
RRB - Office Tower, #700
1300 Pennsylvania Ave. NW
Washington DC 20004
Phone: 202-204-3080
Arlington Office:
2101 Wilson Boulevard Suite 300
Arlington, VA 22201
mgelles@devis.com
mgelles@usaid.gov
Phone: 703.525.6485
Fax: 703.525-6029

From: "Jeff Rosen" <jrosen@ncd.gov>
To: mgelles@devis.com, mgelles@usaid.gov
Cc: "Anne Sommers" <ASommers@ncd.gov>
Sent: Thursday, September 12, 2013 12:46:20 PM
Subject: NCD contract extension with DEVIS

Hi Marina -

I am with NCD and we would like check into the possibility to extend the current contract with DEVIS for a few months. This will ensure that NCD's website doesn't go offline when the current contract expires the end of this month.

Thanks.

-Jeff Rosen



www.devis.com

NCD

Quote for NCD.gov Services for FY14 (October 1 - December 31, 2013)

Prepared for US National Council on Disability
Cost Proposal

September 18, 2013

Primary Contact: Jake Stone

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This proposal contains commercial or financial information, or trade secrets of Development InfoStructure that are confidential. Public disclosure of any such information or trade secrets shall not be made without the prior written permission of Development InfoStructure

Proposed Budget

2.1 Proposed Contract Type

Development InfoStructure (Devis) offers to contract on a firm fixed price basis for the delivery of the services requested by NCD.

2.2 Budget by Task

The following table includes a budget by task for services related to NCD.gov for the period of October 1, 2013 through December 31, 2013.

Table 1 - Estimated Budget by Task

Task	Description	Unit	Unit Cost	Units	Total Cost
Website Hosting for NCD.gov	Software as a Service for NCD.gov on the E RO CMS	Month	\$2,500	3	\$7,500
Remote Technical Support	E RO Gold Support package	Month	\$1,000	3	\$3,000
Document Posting	Services to post NCD documents to NCD.gov following the existing NCD.gov document structure	Page	\$9.56	5	\$47,80
				Total	\$10,547.80

2.3 Travel

ocal travel from the Devis main office in Arlington, VA to NCD, Washington, D.C. is anticipated and shall be conducted in accordance with the NCD Policy. No travel outside the Metropolitan Washington, D.C. area shall be conducted.





2101 Wilson Boulevard, Suite 300
Arlington, VA 22201
703-525-6485
Fax: 703-525-6029
www.devis.com

MEMORANDUM

TO: National Council on Disability
Attn.: Anne Sommers, Director of Legislative Affairs and Outreach
FROM: Cristina Mossi, Chief Executive Officer
SUBJECT: Contract POP Extension

1. The purpose of this Memorandum is to request the Period of Performance to be extended through 12/31/2013. The request is based on the quote provided by the Contract Project Manager Jake Stone.
2. There are no other changes requested.

Quote for NCD.gov Services for FY14 (October 1 – December 31, 2013)

- Website hosting \$7,500
- Remote technical support \$3,000
- Document posting (5 pages at \$9.56/page) \$47.80
- **TOTAL: \$10,547.80**

Contracts Compliance Manager: Marina Gelles

September 19, 2013

Cristina Mossi

(b) (6)

09/19/2013

Anne Sommers

Signature

Date

(b) (5)

From: Sylvia Jones
Sent: Wednesday, September 25, 2013 12:58 PM
To: Jeff Rosen
Cc: Rebecca Cokley; Gary Blumenthal; Sylvia Jones
Subject: FW: Agency contingency plan

Jeff,

As previously stated, it is the responsibility of the Executive Director to prepare the Agency Contingency Plan. Both you and Rebecca were notified and became aware of OMB's request on September 18, 2013 at 10:22 a.m. during which time both you and Rebecca were in the office for staff meeting. However neither of you took any action to ensure the plan was completed knowing that Rebecca would be going out on maternity leave. In fact, Rebecca never mentioned the request and you waited until she went out on maternity leave to unlawfully direct me to perform her duties. There are two additional office director's in NCD: 1) Gerrie Drake Hawkins; and 2) Anne Sommers. Out of the three director's here, I am the only director being targeted by you.

The Executive Director was negligent in her duties by not appointing an interim Executive Director to ensure the plan and/or any other deliverables for which she was responsible were carried out. Per Office Directors...staff were informed by you during the staff meeting on Sept 18 that there was not a need for an Interim ED when Dr. Hawkins posed the question to you and Rebecca as to who would supervise the staff. Thus, I cannot understand why you continue to send me daily harassing emails to interrupt the order of the day to day operations issuing me unlawful directives.

Again, you are acting outside the scope of your authority. Please cease and desist further communication with me until the Executive Director returns to duty. If these actions continue to persist I will be forced to seek civil remedies.

As of September 19, 2013, I do not have a supervisor until Nov 4 when Rebecca returns to duty part-time. Therefore this is my last email to you.

Sylvia

From: Jeff Rosen
Sent: Wednesday, September 25, 2013 11:01 AM
To: Sylvia Jones
Cc: Rebecca Cokley; Gary Blumenthal
Subject: RE: Agency contingency plan

Sylvia,

Again I must resort to providing you with a direct order. Failure to follow this order could result in discipline up to and including removal.

While I understand that you are busy with end of year duties, and I recognize your comment that the contingency plan would normally be the responsibility of the Executive Director, I am ordering you to prepare the draft contingency plan as I requested in my email to you on Friday, September 20, 2013. You are directed to have the draft plan available for me and Gary by COB today.

-Jeff

From: Sylvia Jones
Sent: Wednesday, September 25, 2013 10:11 AM
To: Jeff Rosen
Cc: Rebecca Cokley; Gary Blumenthal; Sylvia Jones
Subject: RE: Agency contingency plan

Jeff,

This is one of duties of the Executive Director. As you are aware, she did not appoint an successor in her planned absence and due to an abundance of work to include budget close out I am unable to take on additional responsibilities outside the scope of my duties.

Sylvia

From: Jeff Rosen
Sent: Wednesday, September 25, 2013 9:45 AM
To: Sylvia Jones
Cc: Rebecca Cokley; Gary Blumenthal
Subject: RE: Agency contingency plan

Sylvia -

This is a reminder that the draft contingency plan is due from you to Gary and myself no later than COB today.

I met with OMB yesterday and our budget examiner wrote to me this morning that the plan would be ideally provided them by tomorrow, but must be submitted no later than this Friday.

-Jeff

From: Jeff Rosen
Sent: Friday, September 20, 2013 4:26 PM
To: Sylvia Jones
Cc: Rebecca Cokley; Gary Blumenthal
Subject: Agency contingency plan

Sylvia -

OMB requires federal agencies to submit a plan next week for how they would stop operations if there is a lapse of funding. Please draft such a plan for Gary and my review by COB next Wednesday September 25th. NCD should

have developed a similar plan for the 2011 potential shutdown which never occurred so there may be something already on file. Feel free to contact Aaron Bishop if you would like to see if he has any information from the time he was NCD's ED.

-Jeff

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [Lisa Brown-Gilmore - CPWA \(lisa.gilmore@gsa.gov\)](mailto:lisa.gilmore@gsa.gov)
[David Allen - WPG-C](#)
Date: 9/23/2013 4:04:24 PM
Subject: RE: NCD FY 13 Purchases

And the NCD Bylaws:

<http://www.ncd.gov/Accountability/Bylaws/>

From: Jeff Rosen
Sent: Monday, September 23, 2013 4:03 PM
To: Lisa Brown-Gilmore - CPWA (lisa.gilmore@gsa.gov); David Allen - WPG-C
Cc: Rebecca Cokley
Subject: RE: NCD FY 13 Purchases

If it helps, heres the link to the NCD authorizing statute:

<http://www.ncd.gov/about/authorizing-statute>

From: Jeff Rosen
Sent: Monday, September 23, 2013 4:01 PM
To: Lisa Brown-Gilmore - CPWA (lisa.gilmore@gsa.gov); David Allen - WPG-C
Cc: Rebecca Cokley
Subject: FW: NCD FY 13 Purchases

Your advice?

Thanks.

-Jeff

From: Sylvia Jones
Sent: Monday, September 23, 2013 3:57 PM
To: Jeff Rosen
Cc: Sylvia Jones; Gary Blumenthal; Rebecca Cokley
Subject: FW: NCD FY 13 Purchases

Jeff,

Pursuant to NCD Authorizing Statutue and the NCD Bylaws, the NCD Chair is not authorized to supervise office staff, nor is the NCD Chair responsible for managing the day to day operations of the office. Per the statutue and the bylaws, the chairperson is responsible for the appointment, supervision, and at his/her discretion, **removal** of the Executive Director.

As a result, I find your continous emails to be harrassing and retailatory in nature and the distractions and interruptions are impeding my workload.

Ms. Cokley issued me a direct order regarding these issues on June 28, 2013 and I complied with her direct order. Therefore I request that you cease and desist issuing any further communication due to the nature of the request as it pertains to a direct order issued to me by my supervisor.

Your threats are unwarranted and unlawful as you are acting outside the scope of your duties. If you have any

questions in the absence of the NCD General Counsel, please consult with GSA. Also, please note that these unlawful threats against me have been forwarded to the appropriate government officials.

-Sylvia

From: Jeff Rosen
Sent: Thursday, September 19, 2013 10:02 AM
To: Sylvia Jones; Gary Blumenthal
Cc: Rebecca Cokley
Subject: RE: NCD FY 13 Purchases

Sylvia,

In Rebecca's absence I am giving you a direct order. Failure to follow this order can lead to disciplinary action up to and including removal.

You are directed to add \$80,000 to the cooperative agreement for managed care forums as directed by the executive committee (Item # 8 of their request), or to provide me with the written law, rule or regulation that prevents you from doing so by COB 9-23-13.

-Jeff

From: Sylvia Jones
Sent: Thursday, September 19, 2013 9:30 AM
To: Gary Blumenthal
Cc: Jeff Rosen; Rebecca Cokley; Sylvia Jones
Subject: RE: NCD FY 13 Purchases

Gary,

Our telephonic conversation concerning technology purchases is totally different than your email to me on yesterday. Per our conversation on Tuesday, you stated "that the technology purchases were not wise." It now appears that your position has drastically changed. Nonetheless please note the following:

The following purchases will be made via credit card today:

8 monitors
1 small TV

Also note:

1. OMB memorandum applies to all agencies to include micro agencies, which I advised all in the past.
2. Regarding the Manage Care Forum - per directive from Rebecca, I channeled my complaint concerning these matters to the appropriate authorities therefore I recuse myself from this matter.
3. Briefing the A&F Committee on the SOF, spending requests, etc., has always been the responsibility of the ED.

In closing, I would like to note that the "big bolded red letters" was condescending and humiliating as it gave an impression that you were talking down to me. During my tenure at NCD, you have never spoken to me in such a manner, which leads me to believe you're upset with me because I choose not to look the other way concerning issues in the office. You state that you want to work with me to help our agency run smoothly; as you know, I work extremely hard here and I'm willing to do anything for the agency as long as it's legal and ethical.

Respectfully,
Sylvia Jones
Director of Administration
National Council on Disability
202-272-2113

"To give real service you must add something which cannot be bought or measured with money, and that is sincerity and integrity." - Douglas Adams

From: Gary Blumenthal <garyblumenthal@addp.org>
Sent: Thursday, September 19, 2013 8:44 AM
To: Gary Blumenthal; Sylvia Jones
Cc: Jeff Rosen; Rebecca Cokley
Subject: RE: NCD FY 13 Purchases

Sylvia,

Please let me know when I can receive answers to my questions **(in Red Below)** today so that I may advise the Executive Board of progress being made in this area. Also I wanted to clarify that in the original notice of the meeting that I sent out the Agenda was attached noting SOF and spending requests.

Gary

From: Gary Blumenthal [mailto:garyblumenthal@addp.org]
Sent: Wednesday, September 18, 2013 4:31 PM
To: 'Sylvia Jones'
Cc: 'Jeff Rosen'; 'Rebecca Cokley'
Subject: RE: NCD FY 13 Purchases

Sylvia,

Please further clarify my notes in Red below:

Gary

From: Sylvia Jones [mailto:sjones@ncd.gov]
Sent: Wednesday, September 18, 2013 3:20 PM
To: Gary Blumenthal
Cc: Jeff Rosen; Rebecca Cokley; Sylvia Jones
Subject: RE: NCD FY 13 Purchases

Gary,

Leading up to A&F meeting this morning, you and I had several conversations regarding the recommended purchases for FY 2013 and prior to the end of our call on yesterday I explained to you the difficulty in acquiring the purchases so late in the fiscal year. I say this because I was blindsided this morning... first with a request to brief the committee on the SOF and then to provide an update on the purchases, which is the responsibility of the ED. As I stated to you on Friday, last year there was three of us closing out the budget, Aaron, Carla and myself. This year I have no Carla, no help from the ED and my workload is heavy. There are a lot of pieces to closing out a budget and I just hope that I can get everything done that needs to be done timely.

Per your request...below is an update on the purchase request:

1.Immediate replacement of 10 computers:

Response: the price received for the units was a quote only. Due to contractual requirements we are unable to acquire these systems.

****Additionally, per OMB Memorandum M-11-11 dated February 3, 2011 agencies were directed to develop and issue an implementation policy as of March 31, 2011 requiring the use of the Personal Identity Verification (PIV) credentials as the common means of authentication for access to the agency's facilities, networks, and information systems. Also, effective the beginning of FY2012, procurement for services and products involving facilities and system access must be in accordance with HSPD-12 Policy and the Federal Acquisition Regulation (FAR).**

We have the current dollars in FY 13, we may need dollars for other usage in FY 14; what is the penalty or not being in accordance with the 3/31/11 PIV credential noting that we are a very small agency for which we this may not necessarily have been designed for in its design.

NCD is currently non-compliant to this policy therefore I strongly recommend that funding be approved to purchase appropriate equipment for staff in the upcoming FY.

2.Replace 8 monitor at \$195.....through GSA vendors 195 x 8 units = \$1560.00

Response: Nick failed to identify vendors for this purchase therefore we cannot make a purchase. Also, is there a need for 8 monitor's if we are not purchasing computers? To my knowledge only 3 monitors may be needed for dual-monitor purposes. **Nick identified Dell directly for this with credit card purchase initially, you suggested GSA. Why can we not purchase order today or credit card directly with Dell.com**

3.Printers

Response: All specs provided by Nick for the printers were outdated with the exception of one, though there was a slight price difference. Nonetheless, we were able to find compatible printers at Staples for a total price of \$2,271.33 which Stacey can purchase with the credit card upon your approval. **Thank you for facilitating this purchase today.**

4.Video Conferencing Citrix Go To Meeting \$39 x 4 meeting organizers \$2000

Response: This appears to be a typo. \$39 times 4 is \$156 not \$2000. Upon receiving clarification on this item I will look further into it and get back to you. **I look forward to your response.**

5.Video Editing for Lawrence Unique PC & accessories \$3000 range

Details:

Response: Per conversation with Lawrence he requires PhotoShop training. In addition, please note that Nick did not identify specific equipment, model numbers and/or item numbers for the purchases. Per the request...column 4, it appears that these items may be potential purchase for FY14 and FY15.

6. One television for C-SPAN -

Response: This is not a cost effective purchase. The agency currently has a rarely used TV in the conference room that can be transferred to the ED's office which will save the agency and tax payer's a \$1000. **This is a purchase decision authorized by the E Board who has made the judgement call on this. The cost of a small new model TV will be substantially less than \$1000.**

Please execute this today via Credit Card. This is a judgement call by the Executive Committee, you may not agree, but this is a directive from the E Board on behalf of the Council.

7. Google Driverless Car Report -

Response: Contractual Issue

8. Manage Care Forums:

Response: Per earlier conversations, please note that is **not** a contract but instead a cooperative agreement. **Please add to this cooperative agreement as directed by the E Board. What is the reason for not adding to a cooperative agreement?**

I want to work with you to help our agency run smoothly. Please respond ASAP.

Please let me know if you have any questions.

Thank you,

Sylvia

From: Gary Blumenthal <garyblumenthal@addp.org>

Sent: Friday, September 13, 2013 1:01 PM

To: Sylvia Menifee

Cc: Jeff Rosen; Rebecca Cokley

Subject: FW: NCD FY 13 Purchases

Sylvia,

I understand the difficult pressure you will be under to get this done today to meet the deadline. To the best of my knowledge this is a partial list of expenditures that the Executive Committee, Jeff and Becca have signed off on. I do believe there may be some additional expenditures from current FY 13 dollars that Jeff and Becca wish to make however I've not been able to get ahold of them today for confirmation. I am cc-ing Jeff and Becca on this email in the hope that they'll see it and respond asap.

Thank you.

Gary

1. Immediate replacement of 10 computers.....per unit cost: 1600 x 10 units = \$16,000
Vendor: Advance Computer Concept recommended by Sylvia, better cost than Nick's recommendation
2. Replace 8 monitor at \$195.....through GSA vendors 195 x 8 units = \$1560.00

3. Printers

4x HP P1606 DN	\$210.96 each	\$843.84
HP Laserjet Pro 400 BW Printer extra paper tray		\$285.40 \$117.96
HP Laserjet Pro 400 Color		\$481
HP 500		\$762

4. Video Conferencing Citrix Go To Meeting \$39 x 4 meeting organizers \$2000

5. Video Editing for Lawrence Unique PC & accessories \$3000
range

Details:

NCD IMPROVEMENT OPPORTUNITY	Inclusive photos for use on the website, publications, and infographics (photos are paid for per download and prices vary but many are \$20/each for websites)	PhotoAbility.com	FY14, FY15 - PhotoAbility.com	\$300.00
NCD IMPROVEMENT OPPORTUNITY	HD Digital Camera for film, consistent with Jeff and other Council Members' and the ED's vision for expanding our video presence; purchasing for in-house use gives us creative control over look/feel and content	Samsung.com	One-time purchase	\$499.99
NCD IMPROVEMENT OPPORTUNITY	Sync Words Video Captioning Service (50-100 hours annual package, plus gov't discount)	SyncWords.com	FY14, FY15 - Sync Words	\$139.00
	Audio	Behringer.com	One-time	

NCD IMPROVEMENT OPPORTUNITY	production kit (podcast studio) to pursue adding brief podcast summaries of our reports to each report landing page going forward		purchase	\$145.00
NCD IMPROVEMENT OPPORTUNITY	Adobe PhotoShop for use in design of infographics, homepage slides, simple covers for in- house reports, etc. (\$650/computer)	Adobe.com	One-time purchase	\$1,300.00
NCD IMPROVEMENT OPPORTUNITY	Training -- GPO Photoshop training	The Institute at GPO (Government Printing Office)	One-time purchase	\$475.00

6. One television for C SPAN

\$1000

Tech subtotals:

\$25,764.80

**7. Google Driverless Car Report
add**

\$15,000

8. ADD \$80,000 to Managed Care Forums: additional forums in regions and meetings in states
The contractor is Ellen Piekalkiewicz. Julie is monitoring this contract.

**And state associations (NCSL) and CSG, and others.... Add:
\$80,000**

Conduct 3-6 additional regional focus groups with Disability Leadership Stakeholders on
Medicaid managed care and disability related issues to the NCD strategic plan in regions

9. EEI Editing services mentioned by Anne
Sommers

\$15,000

Sub total:

\$135,076.80

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [Lisa Brown-Gilmore - CPWA](#)
Date: 9/30/2013 1:21:50 PM
Subject: RE: Sylvia's Husband

Ok, I will be there at 230 then.

From: Lisa Brown-Gilmore - CPWA <lisa.gilmore@gsa.gov>
Sent: Monday, September 30, 2013 1:21 PM
To: Jeff Rosen
Cc: Rebecca Cokley; David Allen
Subject: Re: Sylvia's Husband

Jeff,

I do recommend that you physically go to NCD along with Security. Please ask her what she is working on. It sounds like Sylvia is creating a hostile work environment and it would be a good idea to send her home for the remainder of the day.

On Mon, Sep 30, 2013 at 1:15 PM, Jeff Rosen <jrosen@ncd.gov> wrote:
Awaiting Lisas counsel here.

-Jeff

From: Rebecca Cokley
Sent: Monday, September 30, 2013 1:10 PM
To: Jeff Rosen
Cc: Lisa Brown-Gilmore - CPWA; David Allen
Subject: Re: Sylvia's Husband

Just got a call from staff...they're seriously getting shook up by everything. Ms. Jones has gone into the offices of both Nick and Anne and accused them of calling me to let me know about her husband being there and is apparently loudly talking about hostile environment, the fact that she's being treated disparately, etc....

RC

Sent from my iPad

On Sep 30, 2013, at 1:07 PM, "Jeff Rosen" <jrosen@ncd.gov> wrote:

Thanks for the follow up Rebecca.

Lisa, I am concerned that a visit to NCD office will escalate things out of control on their end. My wife will think me a fool but Im not so concerned about my personal safety as I am about provoking a hostile response.

In my view, any damage has already been done in the several hours this morning. No staff person is feeling concerned about their physical safety. For the purposes of administrative discipline, its established that Sylvia defied direction by her superior today.

I would like us to consider whether I should continue to go to the office or that we should handle this through administrative channels. Something off is going on there and I'm wary about setting foot and getting caught up in whatever they got going on. I think we should consider approaching this another way.

As for her husband, we can call Federal protection service and ask that he leave the premises.

-Jeff

From: Rebecca Cokley
Sent: Monday, September 30, 2013 12:30 PM
To: Jeff Rosen
Cc: Lisa Brown-Gilmore - CPWA; David Allen
Subject: Re: Sylvia's Husband

Jeff

to recap: I spoke with Sylvia at 12:15 and after putting me on speakerphone she confirmed that the individual in her office was her husband, and she refused repeatedly to tell me what she was working on, citing that I was on leave and not in a position to ask her. I asked her to call me back after she goes on lunch with her husband and she repeatedly refused, telling me that she didn't need to call me back because I was on leave.

[1-877-437-7411](tel:1-877-437-7411) is the number for the Federal Protective Service

RC

Sent from my iPad

On Sep 30, 2013, at 12:24 PM, "Jeff Rosen" <jjrosen@ncd.gov> wrote:

I checked with some interpreters and no one is available this afternoon.

I'm continuing to look around. Please keep me posted about any developments in the meantime.

From: Lisa Brown-Gilmore - CPWA <lisa.gilmore@gsa.gov>
Sent: Monday, September 30, 2013 12:15 PM
To: Jeff Rosen
Cc: Rebecca Cokley; David Allen
Subject: Re: Sylvia's Husband

Jeff and Rebecca,

Please keep all emails from employees regarding this incident. We just spoke to Rebecca and she is calling Sylvia now. At any rate, Jeff please go to NCD to follow up on everything. Thanks

On Mon, Sep 30, 2013 at 12:01 PM, Lisa Brown-Gilmore - CPWA <lisa.gilmore@gsa.gov> wrote:
Rebecca, can you call Sylvia and find out what is going on? If she does not pick up, call another employee and have them tell Sylvia to call you immediately. If that does not occur, please have security escort Sylvia and her husband from the office. Make sure that they take Sylvia's badge and keys. Thanks

On Mon, Sep 30, 2013 at 11:56 AM, Jeff Rosen <jrosen@ncd.gov> wrote:

I am willing, but it will take me an hour to get to DC.

Can we ask a Federal marshal or someone like that to immediately go in? That will help secure the situation until I get there.

Please advise.

Thanks.

-Jeff

From: Lisa Brown-Gilmore - CPWA <lisa.gilmore@gsa.gov>

Sent: Monday, September 30, 2013 11:53 AM

To: Rebecca Cokley

Cc: David Allen; Jeff Rosen

Subject: Re: Sylvia's Husband

Jeff,

Can you please go over to NCD with an interpreter to find out exactly what is going on. You should have security on hand in case there is any inappropriate behavior. Thanks

On Mon, Sep 30, 2013 at 11:34 AM, Rebecca Cokley <rcokley@ncd.gov> wrote:

Lisa

I've been contacted by 3 staff about this today. What can we do?

RC

Sent from my iPhone

Begin forwarded message:

From: Robyn Powell <RPowell@ncd.gov>

Date: September 30, 2013 at 11:23:13 AM EDT

To: Jeff Rosen <jrosen@ncd.gov>, Rebecca Cokley <rcokley@ncd.gov>

Subject: Sylvia's Husband

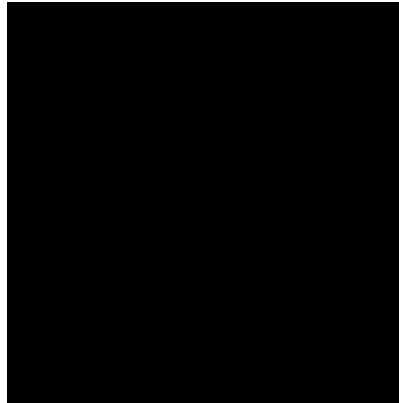
Hi Jeff and Rebecca,

Staff have informed me that a man (assumedly Sylvia's husband) has been in Sylvia's office for several hours with her and that they have overheard what sounds like papers being ripped. I wanted to let you know, as this seems inappropriate.

Thanks,
Robyn

--

Lisa Gilmore
Human Resources Specialist (Employee Relations)
Washington Area Operations Center
Employee Relations Branch-CPWA
301 7th Street, S.W., Room 1022
Washington, DC 20407
202-205-4929 Desk
202-(b) (6) Mobile Phone
[202-708-5377](tel:202-708-5377) fax



https://docs.google.com/a/gsa.gov/forms/d/1nhjCN6rnQLHds76fKF2MsLyLHchZpKL7e_LIZjNJlr0/viewform

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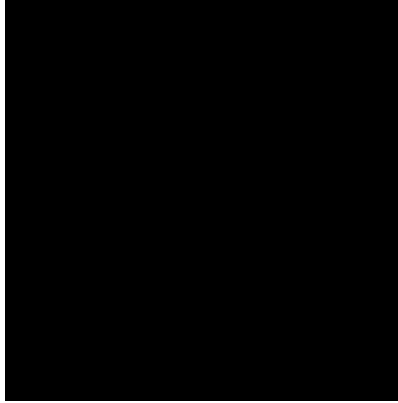
Lisa Gilmore
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https://docs.google.com/a/gsa.gov/forms/d/1nhjCN6rnQLHds76fKF2MsLyLHchZpKL7e_LIZjNJlr0/viewform

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https://docs.google.com/a/gsa.gov/forms/d/1nhjCN6rnQLHds76fKF2MsLyLHchZpKL7e_LIZjNJlr0/viewform

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [Rebecca Cokley](#)
[Lisa Brown-Gilmore - CPWA](#)
Date: 9/30/2013 11:53:24 AM
Subject: RE: Global Networkers contract

(b) (6) . -Jeff

From: Rebecca Cokley Sent: Monday, September 30, 2013 11:50 AM To: Lisa Brown-Gilmore - CPWA Cc: Jeff Rosen Subject: Global Networkers contract
I just got off the phone with our IT contractor (William) and he informed me that Ms. Jones (b) (6)

(b) (6) She is the COTR on the contract but he contacted me as the Executive Director to ensure that that was in fact, our desire, which it isn't. This puts him in a slightly awkward position. What do we do? She has yet to date (b) (6)

RC Sent from my iPad

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [David Allen - WPG-C](#)
Date: 9/30/2013 9:58:34 AM
Subject: Our appreciation

Dave -

On your last day at GSA, NCD provides you our deepest appreciation for the outstanding service you provided us during a challenging period. We also appreciate your great collaboration with Lisa and given the seamless transition, feel confident going forward. Since you are the one who provides advice not us, we will just wish you the very best and know we will manage to stay in touch.

I feel confident that we are turning the corner on the administrative challenges although we have some ways to go. GSAs continued support is vital. NCD has survived some considerable challenges in the past and theres no doubt that we will pull through this. Former ED and later NCD Chair Lex Frieden told me that he once received a call from the White House counsel at 2 in the morning demanding that NCD pull a planned issuance or that NCD would be immediately defunded. Lex refused to give in because NCD is an independent agency. Subsequently Lex caught the sympathetic ear of then VP George Bush who intervened. The issuance was NCDs proposal for the Americans with Disabilities Act which coincidentally President Bush later signed into law.

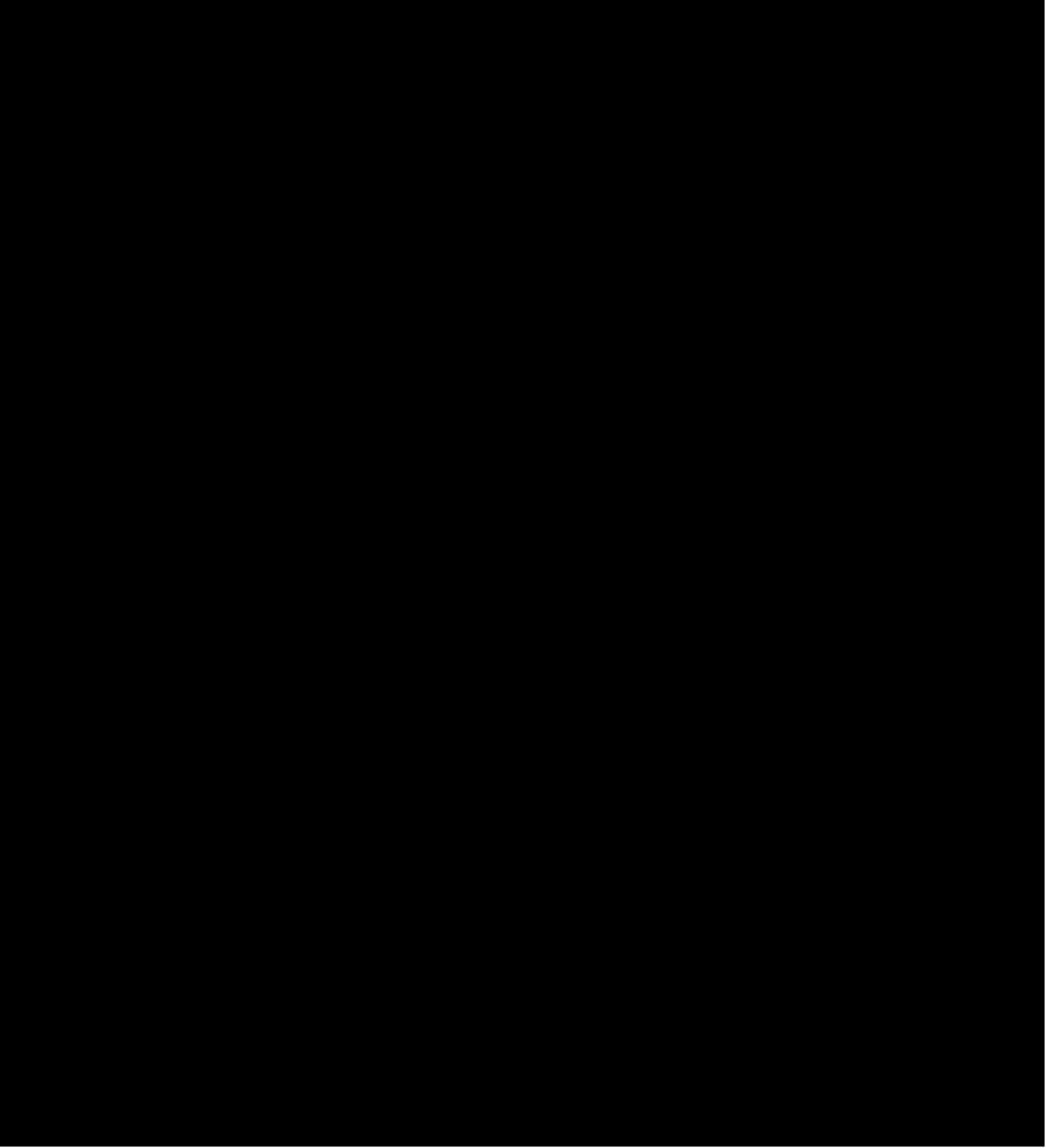
To me, the moral of the story is that there are opportunities in challenges. Up to us to figure out what that is.

Take care!

-Jeff

(b) (5)

(b) (5)



(b) (5)

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:Jrosen@ncd.gov)

To: [Gary Blumenthal](#)
[Gary Blumenthal](#)
[Lynnae Rutledge](#)
[Kamilah Martin-Proctor](#)
[Stephanie Orlando](#)
[Clyde Terry](#)
[Clyde Terry](#)

Date: 10/24/2013 5:16:20 PM

Subject: RE: FOR YOUR ACTION: NCD Organizational Needs Action Plan

In any event, I think its critical that the Executive Committee communicates to the full Council. IN light of the circumstances, I would rather that the email be drafted either for me or circulated by someone on the EC. Thanks.

From: Jeff Rosen

Sent: Thursday, October 24, 2013 5:09 PM

To: Gary Blumenthal; Gary Blumenthal; Lynnae Rutledge; Kamilah Martin-Proctor; Stephanie Orlando; Clyde Terry; Clyde Terry

Cc: Rebecca Cokley; Lisa Brown-Gilmore - CPWA

Subject: RE: FOR YOUR ACTION: NCD Organizational Needs Action Plan

Gary - I think thats a reasonable approach.

All, I'm as shaken as you are regarding the vitriol in Carla's latest note. I need to ask Lisa when shes back in the office what we should do about the escalation.

-Jeff

From: Gary Blumenthal <garyblumenthal@addp.org>

Sent: Thursday, October 24, 2013 5:04 PM

To: Jeff Rosen; Gary Blumenthal; Lynnae Rutledge; Kamilah Martin-Proctor; Stephanie Orlando; Clyde Terry; Clyde Terry

Cc: Rebecca Cokley; Lisa Brown-Gilmore - CPWA

Subject: RE: FOR YOUR ACTION: NCD Organizational Needs Action Plan

Jeff,

Please allow me to think aloud about A&F Committee holding a meeting to hear Sylvia. I wonder if she will accuse us of bias from the get go because of her already lodged suggestion that we have colluded together.

Before I ask her to submit her documentation, may I suggest that we ask confirm that someone from GSA financial will attend to take the lead in asking questions and conducting the committee meeting and inquiry. Ari is out of town November 4-8, I haven't yet spoken with Kamilah or Pam and don't know their schedules.

We could do a meeting on October 30 at 2pm with Ari and Pam phoning in; and Kamilah and I on site with a GSA rep.

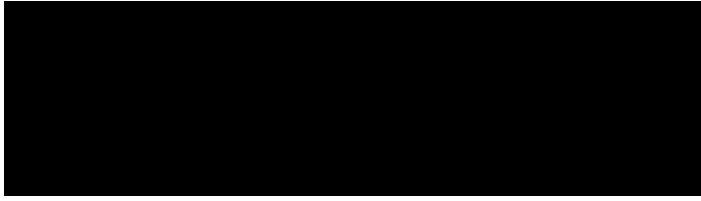
What do you think?

Gary

Gary H. Blumenthal
President and CEO

Association of Developmental Disabilities Providers

1671 Worcester Road, Suite 201
Framingham, Massachusetts 01701
voice: 508-405-8000
fax: 508-405-8001
cell: 617-(b) (6)
www.addp.org



From: Jeff Rosen [mailto:jrosen@ncd.gov]
Sent: Thursday, October 24, 2013 12:26 PM
To: Gary Blumenthal; Lynnae Ruttledge; Kamilah Martin-Proctor; Stephanie Orlando; Clyde Terry; Clyde Terry; garyblumenthal@addp.org
Cc: Rebecca Cokley; Lisa Brown-Gilmore - CPWA
Subject: RE: FOR YOUR ACTION: NCD Organizational Needs Action Plan

Thanks Gary. Hope the mental health conference (with VP Biden attending) is going well, look forward to a report about it.

Rebecca, please send out an email to the Council members with an update regarding member salary, time cards and reimbursement of their expenses. If possible, an email today would be good. I have not received member salary for the time worked prior to the federal shutdown and members haven't seen for some time the usual request for time cards. Appreciate it.

-Jeff

From: Gary Blumenthal
Sent: Thursday, October 24, 2013 12:19 PM
To: Jeff Rosen; Lynnae Ruttledge; Kamilah Martin-Proctor; Stephanie Orlando; Clyde Terry; Clyde Terry; garyblumenthal@addp.org
Cc: Rebecca Cokley; Lisa Brown-Gilmore - CPWA
Subject: RE: FOR YOUR ACTION: NCD Organizational Needs Action Plan

I am out of the Office today but will schedule and follow up tomorrow.

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: Jeff Rosen <jrosen@ncd.gov>
Date: 10/24/2013 8:57 AM (GMT-05:00)
To: Lynnae Ruttledge <lruttledge@ncd.gov>, Kamilah Martin-Proctor <KMartin-Proctor@ncd.gov>, Stephanie Orlando <SOrlando@ncd.gov>, Clyde Terry <CTerry@ncd.gov>, Clyde Terry <cterry@gsil.org>, Gary Blumenthal <GBlumenthal@ncd.gov>, garyblumenthal@addp.org
Cc: Rebecca Cokley <rcokley@ncd.gov>, Lisa Brown-Gilmore - CPWA <lisa.gilmore@gsa.gov>
Subject: RE: FOR YOUR ACTION: NCD Organizational Needs Action Plan

Please find attached & copied below a revised draft plan with several significant edits which I will walk through and ask for your input on several highlighted points.

Co-vice chairs Kamilah and Lynnae will facilitate the special meeting of the Council. They have already started this work. I will take a very light hand in this proceeding to make sure that this is free from any perception of bias. Along those lines, Rebecca and I will ask the EC for input on some administrative decisions that we ordinarily make, again to ensure that these decisions are free of any perceptions of bias.

Members have contacted me, and I'm sure you as well, about their concerns about being in the dark and wanting to know more how they can respond to the allegations of racism and disability discrimination. **Should we announce to members today the plans for a special session or wait until next week?**

I have added a bullet on a staff meeting about HR, EEO & Whistleblowing laws and procedures.

GSA will soon issue a solicitation for a temporary financial analyst contractor until that position is filled. The turnaround time is expected to be about a week so we are looking the first week of November to onboard the contractor. The contractor will address the backlog of invoices and reimbursements. **However, we need action today about collecting member time cards and checking into the status of unpaid member salary.** I recommend that we ask Rebecca to work with Gary in following up asap. Several members have asked me about this and we are obligated to respond today.

Sylvia has represented to the auditors that NCD engaged in fraud. I asked Gary to share with the A&F Committee to make them aware and to follow up in collecting information to address any operational deficiencies. I have added a bullet about that. **I recommend that the A&F Committee promptly schedule a meeting and request from Sylvia to provide them, in writing, information about the represented inappropriate financial operations.**

There is also a new bullet about updating personnel records. Anne has been awaiting GSA action on a federal personnel form for some time now. We need to ensure that staff performance evaluations are complete and that their performance plan in the new FY are also complete.

-Jeff

DRAFT

October 23, 2013

NCD Organizational Needs Action Plan

Coming out of the federal shutdown with a CR budget apportionment, significant personnel issues, the absences of key staff managers, unfilled staff vacancies and the realignment of financial support positions, there is an urgent need to set into place an action plan to navigate those challenges. NCD's Executive Committee members, staff managers and GSA support personnel will work together to identify current objectives, develop and implement a plan of action and actively engage in accomplishing the action items.

Objective #1: Provide support for the Executive Director.

Action items:

Retain an on-site contractor to assist the Executive Director with the performance of her daily duties. The contractor will also assist the Executive Director with HR issues, staff communications and morale, and organizational development needs. Rebecca to provide a scope of work for the contractor.

Objective #2: Provide support for the NCD staff and enhance their workplace.

Action items:

Rebecca and Lisa will develop options for our consideration.

Rebecca will disseminate a new organizational chart and specifically identify to the Council members and staff the scope of responsibilities and duties of each department manager.

Rebecca will meet with staff to inform them about HR, EEO and Whistleblowing processes and the resources available to them.

Objective #3: Provide support for NCD's financial management

Action items:

Retain an on-site temporary contractor to perform financial analyst duties. Jeff and Gary to follow up with GSA in acquiring the contractor.

Resolve the backlog of contractor invoices, reimbursement of expenses and Member salary. Gary to obtain a list of those items from Rebecca.

Work with the auditors of NCD. Gary will work with staff & the A&F Committee on this.

Investigate allegations of inappropriate financial operations. Gary will work with staff & the A&F Committee on this.

Fill the financial analyst position and advertise the Administrative Support position.

Objective #4: Resolve pending administrative needs

Action items:

Handle the EEO complaint. GSA is providing support.

Address the MSPB claim. Staff is working on it with GSA.

Complete the FOIA request. Janni and staff are working on it with GSA.

Get an update on the status of the Legislative position hire. Rebecca to obtain from staff.

Ensure that all staff records are up to date and complete. Rebecca to handle and report to the Executive Committee.

Objective #5: Convene a special meeting of the Council to discuss workplace concerns.

Action items:

Co-vice chairs Kamilah and Lynnae will facilitate the meeting with the support of past vice chair Janni.

Seek counsel from GSA legal and HR about the parameters of that meeting.

From: Lynnae Rutledge

Sent: Wednesday, October 23, 2013 9:55 AM

To: Jeff Rosen; Kamilah Martin-Proctor; Stephanie Orlando; Clyde Terry; Clyde Terry; Gary Blumenthal; garyblumenthal@addp.org

Cc: Rebecca Cokley; Lisa Brown-Gilmore - CPWA

Subject: RE: FOR YOUR ACTION: NCD Organizational Needs Action Plan

Thanks Jeff. While it's not a problem area, to provide balance and keep everyone in the communication loop, it would be helpful to add the status of filling the Legislative analyst position as well.

Does that make sense?

Lynnae

From: Jeff Rosen

Sent: Wednesday, October 23, 2013 4:50:54 AM

To: Kamilah Martin-Proctor; Stephanie Orlando; Clyde Terry; Clyde Terry; Lynnae Rutledge; Gary Blumenthal; garyblumenthal@addp.org

Cc: Rebecca Cokley; Lisa Brown-Gilmore - CPWA

Subject: RE: FOR YOUR ACTION: NCD Organizational Needs Action Plan

I have attached and copied below a revised draft action plan based on your input to date. I also added an item regarding the audit. Please continue to help provide feedback on the draft.

Rebecca, please provide us in advance of the EC meeting the options to address the second objective, support for NCD staff & enhancing the workplace. Thanks.

-Jeff

DRAFT

October 22, 2013

NCD Organizational Needs Action Plan

Coming out of the federal shutdown with a CR budget apportionment, significant personnel issues, the absences of key staff managers, unfilled staff vacancies and the realignment of financial support positions, there is an urgent need to set into place an action plan to navigate those challenges. NCD's Executive Committee members, staff managers and GSA support personnel will work together to identify current objectives, develop and implement a plan of action and actively engage in accomplishing the action items.

Objective #1: Provide support for the Executive Director.

Action items:

Retain an on-site contractor to assist the Executive Director with the performance of her daily duties. The contractor will also assist the Executive Director with HR issues, staff communications and morale, and organizational development needs. Rebecca to provide a scope of work for the contractor.

Objective #2: Provide support for the NCD staff and enhance their workplace.

Action items:

Rebecca and Lisa will develop options for our consideration.

Rebecca will disseminate a new organizational chart and specifically identify to the Council members and staff the scope of responsibilities and duties of each department manager.

Objective #3: Provide support for NCD's financial management

Action items:

Retain an on-site temporary contractor to perform financial analyst duties. Jeff and Gary to follow up with GSA in acquiring the contractor.

Resolve the backlog of contractor invoices, reimbursement of expenses and Member salary. Gary to obtain a list of those items from Rebecca.

Work with the auditors of NCD. Gary will work with staff & the A&F Committee on this.

Fill the financial analyst position and advertise the Administrative Support position.

Objective #4: Resolve pending administrative needs

Action items:

Provide support for the EEO complaint. Jeff is working on it with GSA.
Address the MSPB claim. Rebecca and Robyn are working on it with GSA.
Complete the FOIA request. Robyn and Janni are working on it with GSA.

Objective #5: Respond to request for an Executive Session of the Council.

Action items:

The Executive Committee assigns a member to help set up that meeting.

From: Jeff Rosen

Sent: Tuesday, October 22, 2013 9:35 AM

To: Kamilah Martin-Proctor; Stephanie Orlando; Clyde Terry; Clyde Terry; Lynnae Rutledge; Gary Blumenthal;
garyblumenthal@addp.org

Cc: Rebecca Cokley; Lisa Brown-Gilmore - CPWA

Subject: FOR YOUR ACTION: NCD Organizational Needs Action Plan

As I indicated, to assist us with preparation in advance of our Executive Committee meeting, I have started a draft of a plan of action (attached and copied below) which identifies current organizational objectives and the action items needed to achieve them

Please provide your input. Feel free to edit the draft document and circulate to the group your revisions.

Thanks.

-Jeff

DRAFT

October 22, 2013

NCD Organizational Needs Action Plan

Coming out of the federal shutdown with a CR budget apportionment, significant personnel issues, the absences of key staff managers, unfilled staff vacancies and the realignment of financial support positions, there is an urgent need to set into place an action plan to navigate those challenges. NCD's Executive Committee members, staff managers and GSA support personnel will work together to identify current objectives, develop and implement a plan of action and actively engage in accomplishing the action items.

Objective #1: Provide support for the Executive Director.

Action items:

Retain an on-site contractor to assist the Executive Director with the performance of her daily duties. Rebecca to provide a scope of work for the contractor.

Objective #2: Provide support for the NCD staff and enhance their workplace.

Action items:

Rebecca and Lisa will develop options for our consideration.

Retain an on-site contractor to assist with HR issues, staff communications and morale, and organizational development needs. Rebecca and Lisa to provide a scope of work for the contractor.

Objective #3: Provide support for NCD's financial management

Action items:

Retain an on-site temporary contractor to perform financial analyst duties. Jeff and Gary to follow up with GSA in acquiring the contractor.

Resolve the backlog of contractor invoices, reimbursement of expenses and Member salary. Gary to obtain a list of those items from Rebecca.

Fill the financial analyst position and advertise the Administrative Support position.

Objective #4: Resolve pending administrative needs

Action items:

Provide support for the EEO complaint. Jeff is working on it with GSA.

Address the MSPB claim. Rebecca and Robyn are working on it with GSA.

Complete the FOIA request. Robyn and Janni are working on it with GSA.

Objective #5: Respond to request for an Executive Session of the Council.

Action items:

The Executive Committee assigns a member to help set up that meeting.

(b) (5)

(b) (2)

(b) (2)

On Wed, Sep 25, 2013 at 10:05 AM, Jeff Rosen <jrosen@ncd.gov> wrote:

Sylvia still has not processed reimbursement of the approved travel expenses of a contractor.

We need a draft direct order for the processing of Stephanie, Kamilah and Bob Burgdorf reimbursements.

From: Jeff Rosen

Sent: Thursday, September 12, 2013 11:37 AM

To: Sylvia Meniffee; Burgdorf, Robert; Julie Carroll

Cc: Rebecca Cokley; Gary Blumenthal

Subject: RE: Travel Reimbursement for Robert Burgdorf

Thank you for your response Sylvia.

I will forward you an email chain regarding the approval of his travel expenses. Please let Rebecca know if anything further is needed.

-Jeff

From: Sylvia Meniffee
Sent: Thursday, September 12, 2013 11:28 AM
To: Burgdorf, Robert; Julie Carroll
Cc: Jeff Rosen; Rebecca Cokley; Sylvia Meniffee
Subject: RE: Travel Reimbursement for Robert Burgdorf

Good Morning Mr. Burgdorf,

Per my email to Rebecca Cokley (Executive Director) on August 29, 2013 I am unable to process your claim for "transportation expenses." Per the request made by Julie Carroll, the agency approved your travel "from and back to Florida which resulted in a modification to add \$5000."

A request for reimbursement of additional transportation expenses was not submitted or approved therefore you were not issued an official government travel authorization prior to your travel to cover such expenses.

If you have any questions or concerns regarding this matter please contact Rebecca Cokley directly. She can be reached at [202-272-2124](tel:202-272-2124).

Best regards,
Sylvia

From: Burgdorf, Robert <rburgdorf@udc.edu>
Sent: Wednesday, September 11, 2013 12:05 PM
To: Julie Carroll; Sylvia Meniffee
Cc: Jeff Rosen; Rebecca Cokley
Subject: RE: Travel Reimbursement for Robert Burgdorf

Hi, Sylvia,

Following up on Julie's message in August, I would like to file for my travel reimbursement. Can you advise me how to do so?

Thanks,
Bob Burgdorf

From: Julie Carroll [JCarroll@ncd.gov]
Sent: Tuesday, August 13, 2013 10:12 AM
To: Sylvia Meniffee
Cc: Jeff Rosen; Rebecca Cokley; Burgdorf, Robert
Subject: Travel Reimbursement for Robert Burgdorf

Hi Sylvia,

Jeff and Gary approved transportation expenses for Robert Burgdorf to come to Washington for the release of the ADAAA report. Would you please let him know how to file for that reimbursement? He is cc'd here.

Thanks very much.

Julie

--

Dave Allen

Employee Relations Specialist

301 7th Street SW

Room 1619

Washington, DC 20407

David.Allen@GSA.gov

[202-690-9475](tel:202-690-9475)

FAX [202-205-2546](tel:202-205-2546) (Please call or email if faxing so that I can retrieve it)

(b) (2)

(b) (2)

From: Sylvia Jones

Sent: Tuesday, November 12, 2013 4:08 PM

To: Rebecca Cokley

Cc: Jonathan Kuniholm

Subject: FW: Itinerary for: (b) (6) - Travel beginning 11/14/2013 - STATUS: Awaiting Ticketing - Locator CGEUHE

Rebecca,

In lieu of the Financial Analyst, please supply Marsha with an authorization number for the airline ticketing of (b) (6)

As a reminder...all NCD staff and council members must follow the travel procedures as outlined in the NCD

Financial Policy and Procedures Manual. This reminder is not directed at (b) (6) but instead is a reminder that must be communicated to all staff and members.

Sylvia





From: marsha.walser@adtrav.com <marsha.walser@adtrav.com>

Sent: Tuesday, November 12, 2013 3:25 PM

To: Sylvia Jones

Cc: John McKnight; JOHN977@NYCAP.RR.COM; Carla Nelson

Subject: Itinerary for: JOHN W MCKNIGHT - Travel beginning 11/14/2013 - STATUS: Awaiting Ticketing - Locator CGEUHE

		Tuesday, November 12, 2013 2:25 PM	
Phone: (877) 472-6716 service nonstop 24/7/365		Booking Locator: CGEUHE	
After Hours/VIT Code: U21F			
JOHN W MCKNIGHT National Council on the Disability		Awaiting Ticketing No fare is guaranteed until ticketed	
 Albany, NY, US - to - Washington, DC, US Thursday, November 14 ► Saturday, November 16			
Traveler: (b) (6)			
Trip Includes: Air Segments			
Booked By: MCKNIGHT/J		Booking Source: Agent	
Date Created: November 12, 2013		Date Ticketed/Confirmed: Pending	
		Albany, NY, US - to - Washington, DC, US Departs: Thursday - November 14	
		 Flight# 3933	
Carrier: US Airways		Operated by: US AIRWAYS EXPRESS-AIR WISCONSIN	
Departs: Albany County Airport (ALB)		Thursday - November 14 - 7:50 AM	
Arrives: Washington National Airport (DCA)(Terminal:TERMINAL C)		Thursday - November 14 - 9:27 AM	
Seat #: 12C		E-Ticket #:	
Carrier Locator: DS32WF		Meal: N/A	
Status: Segment Confirmed		Info: Stops: 0, Time: 1.37, Miles: 322	
Class: Economy/Coach Class (N)		Equipment: Canadair Regional Jet (2 Engine Jet)	
Frequent Flyer: n/a			



Washington, DC, US - to - Albany, NY, US

[Check In](#)

Flight# 3436

Departs: Saturday - November 16

Carrier: US Airways	Operated by: US AIRWAYS EXPRESS-REPUBLIC AIRLINES
Departs: Washington National Airport (DCA)(Terminal:TERMINAL C)	Saturday - November 16 - 10:00 AM
Arrives: Albany County Airport (ALB)	Saturday - November 16 - 11:24 AM
Seat #: 10C	E-Ticket #:
Carrier Locator: DS32WF	Meal: N/A
Status: Segment Confirmed	Info: Stops: 0, Time: 1.24, Miles: 322
Class: Economy/Coach Class (N)	Equipment: Embraer 170 (2 Engine Jet)
Frequent Flyer: n/a	

PRICE QUOTE

FARE TOTAL	\$ 763.80
SERVICE FEE-AIR DOMESTIC FULL SERVICE	\$ 25.00
TOTAL QUOTE	\$ 788.80

REMARKS

*****SEE BELOW FOR CHANGES EFFECTIVE OCTOBER 1ST
SPECIAL NOTICE-MOST AIRLINES NOW REQUIRE ALL
GOVERNMENT CONTRACT FARES TO BE ISSUED AT LEAST
48 HOURS PRIOR TO DEPARTURE. RESERVATIONS NOT
TICKETED BY THIS TIME WILL BE AUTOMATICALLY
CANCELLED BY THE AIRLINES.
ARE NOT GUARANTEED UNTIL TICKET IS ISSUED AND
SPACE IS SUBJECT TO CARRIER CANCELLATION**

YOUR V.I.P. CODE IS U21F***ADTRAV TRAVEL MANAGEMENT**
ANY CHANGES IN ITINERARY MAY INCREASE COST*****
POSSIBLE FARE INCREASE DUE TO CARRIER FUEL *****
SURCHARGE. AUTHORIZED BY GSA*****

MANY AIRLINES HAVE NEW GUIDELINES AND FEES FOR ***
CHECK BAGGAGE***FOR MORE INFORMATION CONTACT*****
YOUR ADTRAV AGENT*****
DOT REQUIRES ADTRAV DISPLAY BAG ALLOWANCES AND
SERVICE CHARGES OR PROVIDE A HYPERLINK WHERE
BAGGAGE INFORMATION IS AVAILABLE.
FOR THIS TRIP PLEASE VISIT THE LINK LISTED BELOW
FOR US AIRWAYS AIRLINES
WWW.USAIRWAYS.COM/EN-US/TRAVELTOOLS/BAGGAGE/DEFAULT.HTML

ADTRAV Travel Management :: 4555 Southlake Pkwy :: Birmingham AL, 35244
Phone: (877) 472-6716 :: 24/7/365
Fax: (205) 444-4827
marsha.walser@adtrav.com

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2012.0.2242 / Virus Database: 3222/6330 - Release Date: 11/12/13

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [Lisa Brown-Gilmore - CPWA](#)
Date: 12/16/2013 9:02:34 AM
Subject: RE: FW: Sylvia Jones - Written Reply

Good morning Lisa. I'm reviewing my week and wanted to become aware of the anticipated timeline for this item.
Thanks.
-Jeff

From: Lisa Brown-Gilmore - CPWA <lisa.gilmore@gsa.gov>
Sent: Monday, December 09, 2013 2:38 PM
To: Jeff Rosen
Subject: Re: FW: Sylvia Jones - Written Reply

Hi There Jeff,

I am working on the draft now and expect to have something for your review this week.

On Mon, Dec 9, 2013 at 2:25 PM, Jeff Rosen <jrosen@ncd.gov> wrote:

Hi Lisa -

Just wanted to check in about whether theres an anticipated time that a draft is prepared for my review.

Thanks.

-Jeff

(b) (5)

(b) (5)

From: Lisa Brown-Gilmore - CPWA <lisa.gilmore@gsa.gov>

Sent: Monday, December 02, 2013 11:39 AM

To: Jeff Rosen

Subject: Re: FW: Sylvia Jones - Written Reply

Hi Jeff,

Have you had an opportunity to read the written reply? I am still going thru everything and will prepare a decision letter for your signature. I believe that you will sustain all charges in Rebecca's proposal. If you choose to mitigate the proposal to less amount of days, please let me know along with your reason and I can draft the letter accordingly.

On Mon, Dec 2, 2013 at 10:46 AM, Jeff Rosen <jrosen@ncd.gov> wrote:

| Hi Lisa, trust that you had a good Thanksgiving with your family.

Please let me know the next steps for this item. I suppose we should meet to review?

Thanks.

-Jeff

From: James Heelan <jheelan@shawbransford.com>
Sent: Wednesday, November 27, 2013 6:03 PM
To: Jeff Rosen
Cc: lisa.gilmore@gsa.gov; Robyn Powell; Julie Perkins
Subject: Sylvia Jones - Written Reply


Mr. Rosen,

We submit the attached written reply and exhibits to you on behalf of our client, Mrs. Sylvia Jones. A hard copy will follow to you via overnight FedEx delivery.

Sincerely,

James Garay Heelan

James P. Garay Heelan
Associate Attorney

Shaw Bransford & Roth P.C. | Attorneys at Law
1100 Connecticut Avenue, NW, Suite 900
Washington, DC 20036
Phone: (202) 463-8400 Ext. 316 | Fax: (202) 833-8082
www.shawbransford.com | jheelan@shawbransford.com
 

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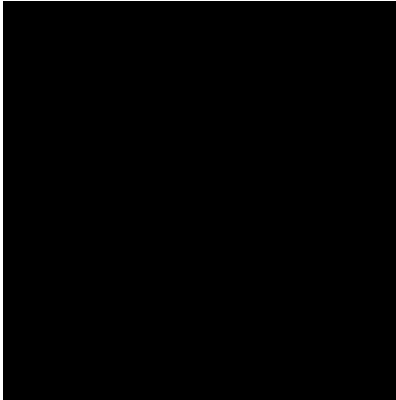
Lisa Gilmore
Human Resources Specialist (Employee Relations)
Washington Area Operations Center
Employee Relations Branch-CPWA
301 7th Street, S.W., Room 1022
Washington, DC 20407
202-205-4929 Desk
202-(b) (6) Mobile Phone
[202-708-5377](tel:202-708-5377) fax



https://docs.google.com/a/gsa.gov/forms/d/1nhjCN6rnQLHds76fKF2MsLyLHchZpKL7e_LIZjNJlr0/viewform

--

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https://docs.google.com/a/gsa.gov/forms/d/1nhjCN6rnQLHds76fKF2MsLyLHchZpKL7e_LIZjNJlr0/viewform

(b) (5)

Robyn

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:Jrosen@ncd.gov)
To: [Pam Holmes](#)
[Gary Blumenthal](#)
Date: 10/25/2013 1:55:20 PM
Subject: RE: A&F Meeting

There is to be no further emails along this thread. That is an absolute instruction to everyone.

Going forward, any questions from Council members regarding staff will be solely communicated to Rebecca for her handling.

Thank you.

-Jeff

From: Pam Holmes
Sent: Friday, October 25, 2013 1:47 PM
To: Gary Blumenthal
Cc: Sylvia Jones; Lisa Brown-Gilmore - CPWA, (lisa.gilmore@gsa.gov); Jeff Rosen; Rebecca Cokley; Ari Neeman; Kamilah Martin-Proctor; Lynnae Ruttledge; Stephanie Orlando; Clyde Terry
Subject: Re: A&F Meeting

I have little background on what has transpired to advise. I only have immediate/recent emails that are one sided. Is anyone in the office able to lend insight on what time Sylvia left and why? Was this departure before or after your email was sent? Ph

Sent from my iPhone

On Oct 25, 2013, at 12:26 PM, "Gary Blumenthal" <GBlumenthal@ncd.gov> wrote:

I understand that Sylvia was in today, but apparently has left the office for the day. As the A&F Chair, I need the Director of Administration to respond to my emails and phone calls. That has not been the case since the end of the past fiscal year.

I am also concerned that it is unclear what duties, Sylvia feels she will respond to or not respond to.

She seems to have isolated herself with diminishing duties and responsibilities. Additionally we have been paying for a temporary support person, with Sylvia's diminished responsiveness is likely not doing much.

I would suggest we review whether we wish to continue this temporary employee given the fact that Sylvia appears to be non-responsive and likely not in need of a full time temporary associate.

From: Gary Blumenthal
Sent: Friday, October 25, 2013 7:34 AM
To: Sylvia Jones
Cc: Lisa Brown-Gilmore - CPWA, (lisa.gilmore@gsa.gov); Jeff Rosen; Rebecca Cokley; Pam Holmes; Ari Neeman; Kamilah Martin-Proctor; Lynnae Ruttledge; Stephanie Orlando; Clyde Terry
Subject: A&F Meeting

Sylvia,

Please prepare a memo for the A&F Committee detailing the allegations of fraud that have referenced previously in need of corrective action. Please indicate what corrective action needs to be executed. I would request receipt of this document by Wednesday, October 30, 2013. When I receive the memo, I will schedule a meeting with the A&F Committee to review, in which we would review these concerns with you.

Also by the end of today, I would renew my request for an update on reimbursement status for members, as well as payroll. I and others have not received reimbursements due, nor scheduled payroll payment due today.

Also, by the end of today, I request for the third time that you respond to my request for the contact information for NCD's auditors. In light of your failure to notify me of the first entrance meeting as you were directed, I would appreciate this information immediately.

Gary

Sent from my Verizon Wireless 4G LTE smartphone

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:Jeff.Rosen@ncd.gov)
To: [Sylvia Jones](#)
Date: 9/25/2013 11:01:48 AM
Subject: RE: Agency contingency plan

Sylvia,

Again I must resort to providing you with a direct order. Failure to follow this order could result in discipline up to and including removal.

While I understand that you are busy with end of year duties, and I recognize your comment that the contingency plan would normally be the responsibility of the Executive Director, I am ordering you to prepare the draft contingency plan as I requested in my email to you on Friday, September 20, 2013. You are directed to have the draft plan available for me and Gary by COB today.

-Jeff

From: Sylvia Jones
Sent: Wednesday, September 25, 2013 10:11 AM
To: Jeff Rosen
Cc: Rebecca Cokley; Gary Blumenthal; Sylvia Jones
Subject: RE: Agency contingency plan

Jeff,

This is one of duties of the Executive Director. As you are aware, she did not appoint an successor in her planned absence and due to an abundance of work to include budget close out I am unable to take on additional responsibilities outside the scope of my duties.

Sylvia

From: Jeff Rosen
Sent: Wednesday, September 25, 2013 9:45 AM
To: Sylvia Jones
Cc: Rebecca Cokley; Gary Blumenthal
Subject: RE: Agency contingency plan

Sylvia -

This is a reminder that the draft contingency plan is due from you to Gary and myself no later than COB today.

I met with OMB yesterday and our budget examiner wrote to me this morning that the plan would be ideally provided them by tomorrow, but must be submitted no later than this Friday.

-Jeff

From: Jeff Rosen
Sent: Friday, September 20, 2013 4:26 PM
To: Sylvia Jones
Cc: Rebecca Cokley; Gary Blumenthal
Subject: Agency contingency plan

Sylvia -

OMB requires federal agencies to submit a plan next week for how they would stop operations if there is a lapse of funding. Please draft such a plan for Gary and my review by COB next Wednesday September 25th. NCD should have developed a similar plan for the 2011 potential shutdown which never occurred so there may be something already on file. Feel free to contact Aaron Bishop if you would like to see if he has any information from the time he was NCD's ED.

-Jeff

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [Sylvia Jones](#)
Date: 9/25/2013 9:45:46 AM
Subject: RE: Agency contingency plan

Sylvia -

This is a reminder that the draft contingency plan is due from you to Gary and myself no later than COB today.

I met with OMB yesterday and our budget examiner wrote to me this morning that the plan would be ideally provided them by tomorrow, but must be submitted no later than this Friday.

-Jeff

From: Jeff Rosen
Sent: Friday, September 20, 2013 4:26 PM
To: Sylvia Jones
Cc: Rebecca Cokley; Gary Blumenthal
Subject: Agency contingency plan

Sylvia -

OMB requires federal agencies to submit a plan next week for how they would stop operations if there is a lapse of funding. Please draft such a plan for Gary and my review by COB next Wednesday September 25th. NCD should have developed a similar plan for the 2011 potential shutdown which never occurred so there may be something already on file. Feel free to contact Aaron Bishop if you would like to see if he has any information from the time he was NCD's ED.

-Jeff

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [Lisa Brown-Gilmore - CPWA \(lisa.gilmore@gsa.gov\)](mailto:lisa.gilmore@gsa.gov)
[David Allen - WPG-C](#)
Date: 9/24/2013 1:44:22 PM
Subject: FW: DEVIS

From: Sylvia Jones
Sent: Tuesday, September 24, 2013 12:22 PM
To: Jeff Rosen
Cc: Sylvia Jones; Rebecca Cokley
Subject: FW: DEVIS

Jeff,
Pursuant to NCD Authorizing Statutue and the NCD Bylaws, the NCD Chair is not authorized to supervise office staff; nor is the NCD Chair responsible for managing the day to day operations of the office. Per the statutue and the bylaws, the chairperson is responsible for the appointment, supervision, and at his/her discretion, **removal** of the Executive Director. Your belief that I recused myself "simply becuse I disagreed with a decision" is a false statement and It also appears that you are mistaken about my duties as the Director of Administration. In accordance with the Federal Acquisition Regulation, the authority and responsibility to contract for authorized supplies and services is vested in a warranted Contracting Officer and/or the Agency Head.

Ms. Cokley issued me a direct order regarding this issues on June 28, 2013 and I complied with her direct order. Therefore I request that you cease and desist issuing any further communication to me on this issue due to the nature of the request as it pertains to a direct order issued to me by my supervisor.

Furthermore, your threats are unwarranted and unlawful as you are acting outside the scope of your duties. If you have any questions in the absence of the NCD General Counsel, please consult with GSA. Also, please note that these unlawful and retailatory threats against me will be forwarded to the appropriate government officials.

- Sylvia

From: Jeff Rosen
Sent: Friday, September 20, 2013 1:12 PM
To: Sylvia Jones
Cc: Rebecca Cokley
Subject: DEVIS

Sylvia,

I understand that you recused yourself from working on a contract to replace DEVIS. You have presented no legal reason why you recused yourself.

I believe you recused yourself simply because you disagreed with the decision. Disagreeing with a decision is not grounds for recusing oneself from performing their assigned duties.

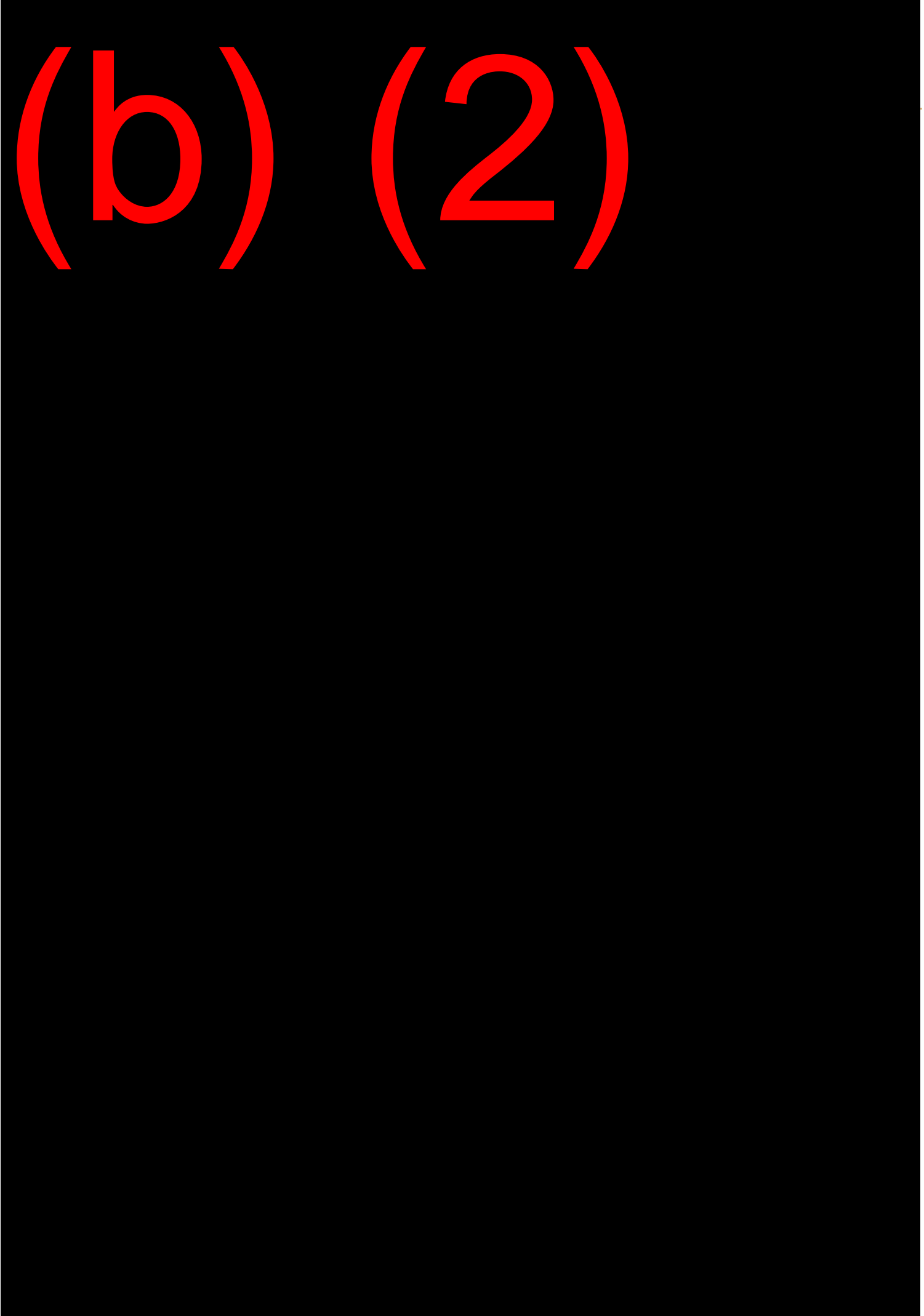
The purpose of this message is to give you a direct order. Failure to follow this order could result in disciplinary action up to and including removal.

You are to perform the duties of your position, including working on the contract to replace DEVIS immediately or to present me with written material supporting your recusal showing why the contemplated action is illegal or against government wide regulations. This written material must be presented by COB September 24, 2013.

In addition if, in the future, you believe you must recuse yourself from performing your duties, you will provide similar written documentation supporting your request with that request.

-Jeff

(b) (2)



From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [Lisa Brown-Gilmore - CPWA \(lisa.gilmore@gsa.gov\)](mailto:lisa.gilmore@gsa.gov)
[David Allen - WPG-C](#)
Date: 9/24/2013 8:24:58 AM
Subject: RE: URGENT NCD directive to Ms. Meniffee

Sylvia was handed a hard copy and she asked Stacey to forward the email to her.

From: Jeff Rosen
Sent: Tuesday, September 24, 2013 8:06 AM
To: Lisa Brown-Gilmore - CPWA (lisa.gilmore@gsa.gov); David Allen - WPG-C
Cc: Rebecca Cokley
Subject: FW: URGENT NCD directive to Ms. Meniffee

Written notice has now been provided to her.

I also asked Stacey to let me know if she retaliates against him in any way.

From: Stacey Brown
Sent: Tuesday, September 24, 2013 8:03 AM
To: Jeff Rosen
Subject: RE: URGENT NCD directive to Ms. Meniffee

Ok.

From: Jeff Rosen
Sent: Tuesday, September 24, 2013 8:01 AM
To: Stacey Brown
Cc: Rebecca Cokley
Subject: FW: URGENT NCD directive to Ms. Meniffee

Stacey -

Please print this email in full and place it under Sylvia's door.

Thank you.

-Jeff

From: Jeff Rosen
Sent: Monday, September 23, 2013 3:20 PM
To: Sylvia Jones
Cc: Rebecca Cokley
Subject: URGENT NCD directive to Ms. Meniffee

Sylvia,

Your decision to stop reading emails or taking phone calls until September 25, 2013 is a gross neglect of your duty and will not be tolerated. I consider this to be a failure to perform the basic functions of your job. You are hereby directed to continue to read and respond to emails and telephone calls effective immediately. Failure to follow this direct order may lead to disciplinary action up to and including removal.

-Jeff

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2012.0.2242 / Virus Database: 3222/6194 - Release Date: 09/24/13

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [Gary Blumenthal](#)
[Gary Blumenthal](#)
Date: 9/23/2013 7:53:00 AM
Subject: FW: Prior IT obligated contracts

Good morning Gary.

When you speak with GSA, please make clear that we are only seeking to temporarily extend the purchase order already in place using remaining funding obligated to DEVIS from prior FY (see below, the bold text is from Sylvia). We are not using any new funding either this FY or next to temporarily extend with DEVIS. All we are doing is changing the expiration date and applying unused funds already obligated for this service. I plan to sign the extension by the end of the week unless GSA says that doing so would be illegal or otherwise a violation of the applicable rules.

Reading over the email trail, I see a note from Sylvia that she spoke with GSA but they were not able to assist us because "the Chair has the contracting authority" and refused to help us further. I sent her a note last week drafted by Dave/Lisa instructing her to work on the DEVIS matter, that's part of her job.

Also, I've decided to take your advice and we will seek the services of a temp financial person to assist at the NCD offices. Please ask GSA when you talk with them the appropriate means NCD can engage the services of such a temp, is this like a purchase order? If Sylvia was able to bring on a temp without having to compete it or undertake other time consuming procedures, we should be able to do the same. It's my objective to bring in the temp by October 1st for a short term (a few weeks) until Rebecca is able to hire the Financial Analyst. The temp will be asked to assist you and the ED in the following areas:

- 1) Reviewing the status of funds and advising about NCD's financial positions and management;
- 2) Identifying appropriate procurement vehicles for NCD obligations; and
- 3) Identifying appropriate financial management tasks that the Director of Administration must perform to ensure NCD is financially sound and is able to accomplish all of its financial needs.

You may think of other essential tasks but the above is a start. All we need to understand from GSA is how we can bring this temp onboard. Given the possibility of a budget issue at the outset of the new FY, it is urgent that NCD bring on a temp financial analyst on October 1st to protect it from any issues such as an anti-deficiency violation.

Thanks.

-Jeff

From: Jeff Rosen
Sent: Wednesday, July 17, 2013 6:04 PM
To: Rebecca Cokley
Cc: Gary Blumenthal
Subject: Prior IT obligated contracts

Rebecca -

Can you soon determine whether we can use remaining prior year (2010 & '11) funding obligated for DEVIS and/or Global Network contracts to:

- 1) purchase video filming and editing equipment;
- 2) subscribe to a video conferencing solution; and/or
- 3) purchase some replacement office computers.

See below:

Open contracts for 2010 and 2011 are for IT – 1) Global Networkers and 2) DEVIS.

FY-2009-\$25,551.32 (off the books)
FY-2010-\$51,350.85
FY-2011-\$44,480.32
FY-2012-\$17,702.14 (too close to spend down)

Thanks.

-Jeff

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [Lisa Brown-Gilmore - CPWA](#)
Date: 9/16/2013 3:27:06 PM
Subject: RE: Executive Director

Thanks for your efforts. We are doing the same and I am confident something will be worked out.

From: Lisa Brown-Gilmore - CPWA <lisa.gilmore@gsa.gov>
Sent: Monday, September 16, 2013 3:25 PM
To: Jeff Rosen
Cc: David Allen - WPG-C; Lynnae Ruttledge; Rebecca Cokley
Subject: Re: Executive Director

So far I have not been successful with obtaining an interpreter for tomorrow's meeting. I will continue to try. I'm waiting on a call back from someone now.

On Mon, Sep 16, 2013 at 2:36 PM, Lisa Brown-Gilmore - CPWA <lisa.gilmore@gsa.gov> wrote:
I am checking on an interpreter now and will get back with you right away.

On Mon, Sep 16, 2013 at 2:03 PM, Jeff Rosen <jrosen@ncd.gov> wrote:
Unfortunately our regular interpreter isn't available tomorrow.

Could GSA check again with its HR people about the availability of interpreters? GSA has many deaf employees at HQ and regularly schedules interpreters for them.

Another possibility is for GSA to have an iPad which works on its system to enable remote video interpreting (it can take care of that part if an iPad works).

I will also check with another service.

Thanks.

From: Jeff Rosen
Sent: Monday, September 16, 2013 1:12 PM
To: David Allen - WPG-C
Cc: Lynnae Ruttledge; Rebecca Cokley; Lisa Brown-Gilmore - CPWA (lisa.gilmore@gsa.gov)
Subject: RE: Executive Director

Lets do that then. Does GSA have an interpreter readily available or should I arrange for one?

Thanks.

From: David Allen - WPG-C <david.allen@gsa.gov>
Sent: Monday, September 16, 2013 1:08 PM
To: Jeff Rosen
Cc: Lynnae Ruttledge; Rebecca Cokley; Lisa Brown-Gilmore - CPWA (lisa.gilmore@gsa.gov)
Subject: Re: Executive Director

Lisa Gilmore and I could meet you at 3:30 at GSA 7th and D streets. I could pick you up in the lobby then we

can use my office, if that works for everyone.

Please confirm.

On Mon, Sep 16, 2013 at 12:32 PM, Jeff Rosen <jrosen@ncd.gov> wrote:

Thanks Lynnae. Tuesday afternoon at GSA would be my preference, will look to more information from Dave & GSA.

-Jeff

From: Lynnae Ruttledge

Sent: Monday, September 16, 2013 12:31 PM

To: Jeff Rosen; David Allen - WPG-C

Cc: Rebecca Cokley; Lisa Brown-Gilmore - CPWA (lisa.gilmore@gsa.gov)

Subject: RE: Executive Director

Thanks Jeff. I'm on my way to DC for the forum and LTCC meeting. I'm available Tuesday after 3:30 (I will do it person at GSA) or by phone on Friday.

Lynnae

From: Jeff Rosen

Sent: Monday, September 16, 2013 9:25:26 AM

To: David Allen - WPG-C

Cc: Rebecca Cokley; Lynnae Ruttledge; Lisa Brown-Gilmore - CPWA (lisa.gilmore@gsa.gov)

Subject: FW: Executive Director

Hi David -

At the outset, I want to reiterate on behalf of NCD our profound appreciation for the good support you provide us.

As indicated below, it is likely that we will proceed not to designate an acting ED in Rebecca's temporary absence.

I would like to meet with you this week to get an update on GSA's HR work and discuss how me may want to handle any issues in the interim which we think requires your and GSA's support. I also would like to discuss with you about receiving support in the new FY after your contract with GSA expires.

This week Tuesday, Wednesday and Friday afternoons are good for me. Please feel free to include GSA personnel if appropriate. We will look to including Lynnae if shes available.

Thanks

-Jeff

From: Jeff Rosen

Sent: Monday, September 16, 2013 11:46 AM

To: Kamilah Martin-Proctor; Stephanie Orlando; Clyde Terry; Clyde Terry; Lynnae Ruttledge; Gary Blumenthal; garyblumenthal@addp.org

Cc: Rebecca Cokley

Subject: Executive Director

Dear colleagues -

As you know, Rebecca is scheduled for maternity leave beginning next week. By all accounts internally & externally to NCD, Rebecca has been doing a fantastic job. We are excited about meeting her newborn and look forward to her rejoining NCD upon her return in 3 weeks, which she will do so by teleworking until approximately the end of the year.

We have made a diligent examination of how to handle Rebecca's temporary leave. We decided that the current staff simply have overflowing work responsibilities and tasks and it would be too much to ask any of them to act in Rebecca's stead. We considered bringing someone from outside who has experience with federal agency administration and disability policy issues and identified 3 candidates. However, for a variety of reasons, none of them worked out.

Thus, I am of the view that we will not designate an acting ED in the interim 3 week period. Each supervisor for the 3 departments - administration, policy & legislative - is capable of maintaining the operations of their respective departments during this period. Gary B. will continue to sign off on any financial matters. As the head of the agency, I will sign off on any other NCD operational paperwork.

Any matters which require the ED's involvement which cannot be delayed until Rebecca's return to telework will be referred to the Chair whom will consult with the Executive Committee about any necessary action.

I would appreciate any input you may have on this before I transmit this email to the full Council.

Thanks.

-Jeff

By the way, I met Joan's baby Noah last week, what a beautiful healthy baby boy! His mom and dad are doing very well. Joan misses us as much as we miss her, but is content with the precious time with her newborn.

--

Dave Allen
Employee Relations Specialist
301 7th Street SW
Room 1619
Washington, DC 20407
David.Allen@GSA.gov
[202-690-9475](tel:202-690-9475)
FAX [202-205-2546](tel:202-205-2546) (Please call or email if faxing so that I can retrieve it)

--

Lisa Gilmore
Employee Relations Specialist
[202-205-4929](tel:202-205-4929)

--

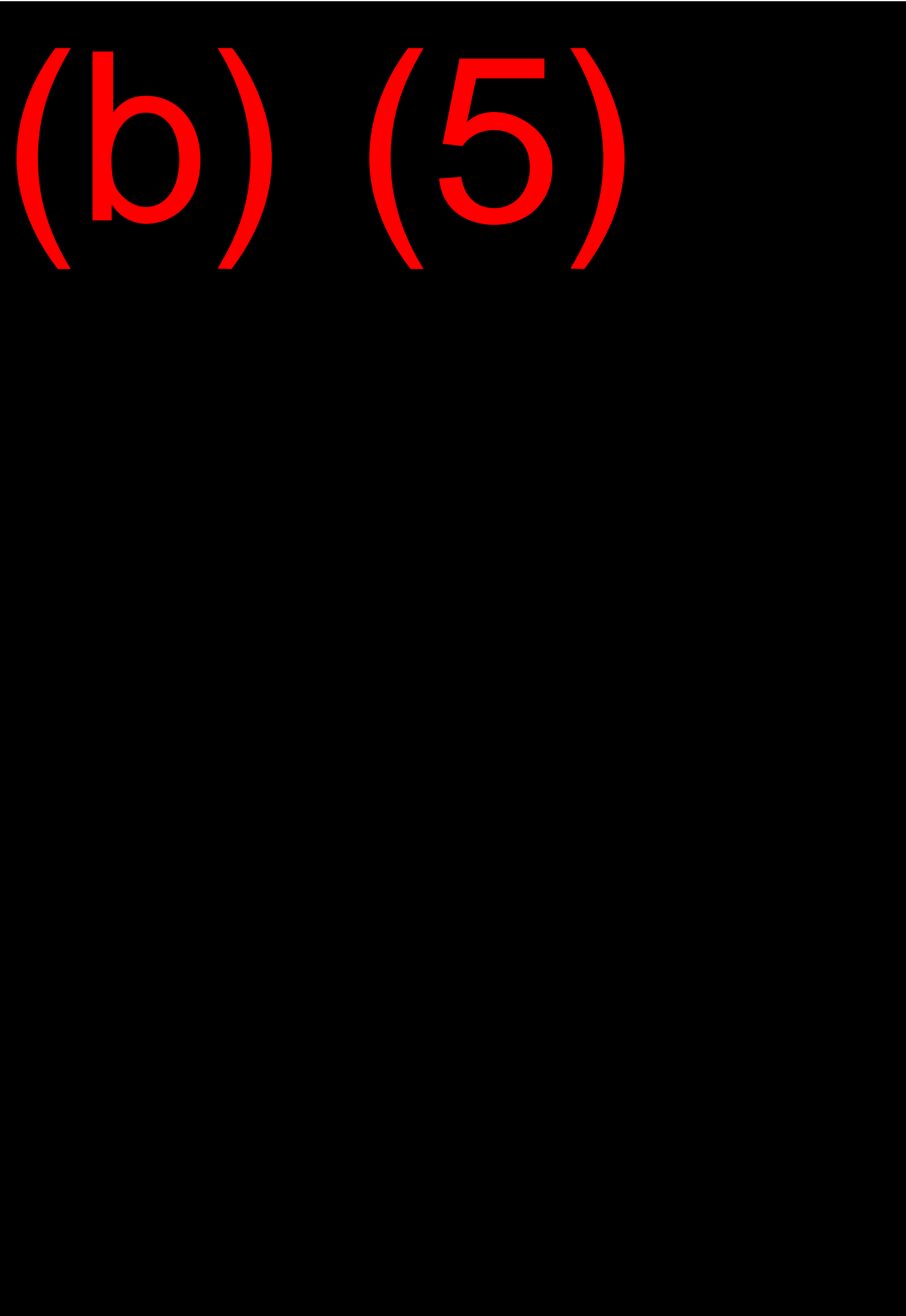
Lisa Gilmore
Employee Relations Specialist
202-205-4929

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:Jeff.Rosen@ncd.gov)
To: [Lisa Brown-Gilmore - CPWA](#)
Date: 12/2/2013 2:19:40 PM
Subject: FW: directive

From: Sylvia Jones Sent: Thursday, September 26, 2013 4:04 PM To: Rebecca Cokley Cc: Jeff Rosen; Sylvia Jones Subject: FW: directive Rebecca, Thank you for the email and please continue to send them as they clearly demonstrate the level of harassment that I endure from you and Jeff Rosen. You recently had a newborn child and instead of enjoying your newborn you choose to harass me. You are hereby notified that you are currently out of the office, not on duty and your status is legally AWOL. Per the NCD Authorizing Statue and the NCD Bylaws, the NCD Chair does not have supervisory authority over staff nor does the statute or bylaws empowers the Chair to act as a second line spervisor to staff in the absence of the Executive Director. Also per both laws, the NCD Chair cannot manage the day-to-day operations of the agency and you do not have the authority to overrule the bylaws as they were adopod and approved by the full Council in July 2012. I adhered to your prior direct order issued on June 28, 2013 to channel my complaints to the appropriate authorities. Pursuant to § 2302(b) of Title 5...provides that a federal employee who has authority over personnel decisions may not take or fail to take a or threaten to take a personnel action against an employee for refusing to obey an order that would require the individual to violate a law. As the Executive Director you elected not the appoint and interim successor in your absence and you and Jeff advised staff during a staff meeting on Sept 18 that "there was not a need for an Interim Executive Director in place during your absence" eventhough you had budget deliverables in your possession and in your queue. Thus, I cannot understand why you are sending me threatening emails while out of the office through November 4. The processing of invoices is the duty and responsibility of the Financial Analyst, GS-09/11. You and the Chair intenitonally blocked me from hiring a Financial Analyst prior to the start of interviews. The decision was not in the best interest of the agency and it impeded the misssion. As you you are aware, this is the end of the fiscal year for budget close out and I am unable to take on additional reponsibilities for other positions as a result of actions by you and the Chair. Additionally, per GSA close out guidance final travel vouchers for FY-13 were due to GSA on Sept 12. All NCD staff to included you were informed of this deadline on August 14. These types of emails have impeded my workload and I request for them to cease and desist as they are affecting my disabilities. If the White House or the general public were aware of the activities within NCD in the midst of a government shut down, it would have tax payer's outraged and would bring embarassment on the President and the disability community. You continue to threatened me with disciplinary action and removal from federal service however you and others continue to commit acts of misconduct which are not being addressed. If the threats do not cease and desist I will be forced to take legal action. If you have any questions in the absence of the NCD General Counsel, please consult with GSA. Also, please note that the email threats against me will be forwarded to the appropriate government officials. Have a good day, Sylvia

From: Rebecca Cokley Sent: Thursday, September 26, 2013 12:01 PM To: Sylvia Jones Cc: Jeff Rosen Subject: directive Sylvia This is a direct order, failure to follow these orders can result in disciplinary action up to and including removal from the federal service. Order 1: You are to follow the instructions and orders of Mr. Jeff Rosen, your second level supervisor Order 2: You are to process the travel vouchers of (b) (6) by COB 09/26/13 or provide in writing to Mr. Rosen a legal reason why these vouchers cannot be processed. Failure to follow agency guidelines for submission is not a legal reason why the vouchers cannot be paid. Rebecca Sent from my iPad

(b) (5)



(b) (5)

(b) (5)

From: James Heelan <jheelan@shawbransford.com>

Sent: Wednesday, November 27, 2013 6:03 PM

To: Jeff Rosen

Cc: lisa.gilmore@gsa.gov; Robyn Powell; Julie Perkins

Subject: Sylvia Jones - Written Reply

Mr. Rosen,

We submit the attached written reply and exhibits to you on behalf of our client, Mrs. Sylvia Jones. A hard copy will follow to you via overnight FedEx delivery.

Sincerely,

James Garay Heelan

James P. Garay Heelan

Associate Attorney

Shaw Bransford & Roth P.C. | Attorneys at Law

1100 Connecticut Avenue, NW, Suite 900

Washington, DC 20036

Phone: (202) 463-8400 Ext. 316 | Fax: (202) 833-8082

www.shawbransford.com | jheelan@shawbransford.com



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--

Lisa Gilmore
Human Resources Specialist (Employee Relations)
Washington Area Operations Center
Employee Relations Branch-CPWA
301 7th Street, S.W., Room 1022
Washington, DC 20407
202-205-4929 Desk
202-(b) (6) Mobile Phone
202-708-5377 fax



https://docs.google.com/a/gsa.gov/forms/d/1nhjCN6rnQLHds76fKF2MsLyLHchZpKL7e_LIZjNJlr0/viewform

From: [Jeff Rosen <jrosen@nrc.gov>](#)
To: [Stephen Malick - BCCEC](#)
Date: 12/24/2013 2:28:20 PM
Subject: Re: Your assistance

Thank you Stephen. Wishing everyone the best in the holiday season.
-Jeff

On Dec 24, 2013, at 1:13 PM, "Stephen Malick - BCCEC" <stephen.malick@gsa.gov> wrote:

Jeff I amended timecards up till PPE 12/14/2013.

Stephen A. Malick
Civilian Pay Technician
National Payroll Branch (BCCEC)
Phone: (816) 928-5008
Fax: (816) 923-5435 or (816)928-2417

Please click the link below to take a survey on your most recent Payroll experience-

<https://gsaconnect.google.com/gsa/gsaconnect/feedback?formKey=8VCV7d0X8u6Z9SQW4ZmkJydr72uL6BMA>

For inquiries or changes to your payroll records, please use Office of Personnel Management Employee Express Website (Employee Express)

- Website: <http://www.opm.gov/employees>
- Help Desk Phone # 1-800-353-9450
- TDD Phone# 1-888-880-0412
- Email: askhr@opm.gov

For other inquiries, please contact our GSA Customer Service Reps at:

- Phone# (816) 923-3800 or (800) 676-3650 x35800
- Fax# (816) 923-5435
- Email - NC_PayrollFinance@GSA.GOV

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On Sat, Dec 21, 2013 at 7:02 AM, Jeff Rosen <jrosen@nrc.gov> wrote:
Stephen -

Your assistance with making the below adjustment to Ms. Cokley's time which has been approved by me would be appreciated. The NCD official who typically certifies Ms. Cokley's time has declined to do so for no cause and has disregarded direction to perform that task. Thus GSA's assistance is needed to accomplish this administrative issue.

Please confirm that the adjustments have been made.

Thank you for your time.

-Jeff

From: Rebecca Cokley
Sent: Friday, December 20, 2013 12:43 PM
To: Jeff Rosen
Cc: Brad Kierthames - BCCEC; Lisa Brown-Gilmore - CPWA <lisa.gilmore@gsa.gov>
Subject: RE: Your assistance

jeff

Please send a note to Stephen Malick, stephen.malick@gsa.gov, indicating that an adjustment needs to be made to my time taken during my maternity leave, which you have approved as my supervisor. Include the table below which lays out how the hours are laid out.

Thanks.

Rebecca Cokley
Executive Director
National Council on Disability
1331 F Street NW, Suite 850
Washington, DC 20004
[202-272-2114](tel:202-272-2114) Voice
[202-272-2024](tel:202-272-2024) TTY
[202-272-2022](tel:202-272-2022) Fax
RCokley@nrcd.gov
Website: <http://www.nrcd.gov>

	Work/Telework	Al	Sl	Comp	Furlough	Holiday	Don	Leave	Notes
19-Sep				8					
20-Sep				8					
23-Sep				8					
24-Sep				8					
25-Sep				8					
26-Sep				8					
27-Sep				8					
30-Sep				8					
1-Oct				3					
2-Oct					8				
3-Oct					8				
4-Oct					8				
7-Oct					8				
8-Oct					8				
9-Oct					8				
10-Oct					8				
11-Oct					8				
14-Oct					8				
15-Oct					8				
16-Oct					8				
17-Oct	4	4							employee started back teleworking 50% time on 10/17
18-Oct	4	4							
21-Oct	4	4							
22-Oct	4	4							
23-Oct	4	4							
24-Oct	4	4							
25-Oct	4	4							
28-Oct	4	4			4				
29-Oct	4	4			4				
30-Oct	4	4			4				
31-Oct	4	4			4				
1-Nov	4	4			4				
4-Nov	4	4							
5-Nov	4	4							
6-Nov	4	4							
7-Nov	4	4							
8-Nov	4	4							
11-Nov							8		
12-Nov	4	4							
13-Nov	4	4							
14-Nov	4	4							
15-Nov	4	4							
18-Nov	4	4							
19-Nov	4	4							
20-Nov	8								amendment for 8 hrs
21-Nov	8								
22-Nov	4	4							
23-Nov	4	4							
25-Nov	4	4							
26-Nov	8								
27-Nov	8								
28-Nov							8		
29-Nov									
30-Nov						8			
1-Dec	4	4							
2-Dec	4	4							
3-Dec	4	4							
4-Dec	8								
5-Dec	8								
6-Dec	4	4			4				
9-Dec	4	4							
10-Dec	4	4							
11-Dec	4	4							
12-Dec	4	4							
13-Dec	4	4							
14-Dec	4	4							
16-Dec	4	4			4				
17-Dec	8								
18-Dec	8								
19-Dec	8								

<https://people.google.com/web/viewform?formkey=6FVCJT6NbuWZESQWt1ZndIqubz2iaVE8MA>

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On Wed, Sep 11, 2013 at 10:29 AM, David Allen - WPG-C <david.allen@gsa.gov> wrote:

Mr. Kleithernes,

I want to first thank you for agreeing to assist us in getting Ms. Cokley's comp time properly credited to her account.

We are unsure whether Ms. Menfee will certify that time once Ms. Cokley claims in on her time card.

I am asking you to confirm that you can approve and have input the use of that comp time, in accordance with all appropriate regulations, should Ms. Menfee decline to appropriately process it.

Management is addressing the issue of certifying an alternate timekeeper within the agency so that your continued involvement will not be necessary.



--

Dave Allen
Employee Relations Specialist
301 7th Street SW
Room 1619
Washington, DC 20407

David.Allen@GSA.gov

[202-696-9675](tel:202-696-9675)

FAX: [202-696-2548](tel:202-696-2548) (Please call or email if faxing so that I can retrieve it)

No virus found in this message.
Checked by AVG - www.avg.com
Version: 2012.0.2242 / Virus Database: 3222/6155 - Release Date: 09/11/13

No virus found in this message.
Checked by AVG - www.avg.com
Version: 2012.0.2247 / Virus Database: 3658/6430 - Release Date: 12/18/13

No virus found in this message.
Checked by AVG - www.avg.com
Version: 2012.0.2247 / Virus Database: 3658/6430 - Release Date: 12/18/13

No virus found in this message.
Checked by AVG - www.avg.com
Version: 2012.0.2247 / Virus Database: 3658/6431 - Release Date: 12/18/13

Non-Responsive

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [James Heelan](#)
Date: 12/20/2013 8:47:38 AM
Subject: RE: Sylvia Jones - Written Reply
Attachments: NCD Notice of Suspension.pdf

Mrs. Jones and Mr. Heelan,

Please find attached the official notice of my decision.

Jeff Rosen
NCD Chairperson

From: James Heelan <jheelan@shawbransford.com>
Sent: Wednesday, November 27, 2013 6:03 PM
To: Jeff Rosen
Cc: lisa.gilmore@gsa.gov; Robyn Powell; Julie Perkins
Subject: Sylvia Jones - Written Reply

Mr. Rosen,

We submit the attached written reply and exhibits to you on behalf of our client, Mrs. Sylvia Jones. A hard copy will follow to you via overnight FedEx delivery.

Sincerely,

James Garay Heelan

James P. Garay Heelan
Associate Attorney

Shaw Bransford & Roth P.C. | Attorneys at Law
1100 Connecticut Avenue, NW, Suite 900
Washington, DC 20036
Phone: (202) 463-8400 Ext. 316 | Fax: (202) 833-8082
www.shawbransford.com | jheelan@shawbransford.com



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National Council on Disability

An independent federal agency making recommendations to the President and Congress to enhance the quality of life for all Americans with disabilities and their families.

December 20, 2013

Sylvia Jones
5603 Judicial Drive
Glenn Dale, MD 20679

Dear Mrs. Jones:

This is official notice of my decision on the proposed fourteen (14) calendar day suspension, dated and received by you on November 1, 2013 for: (1) Failure to Follow Supervisor's Instruction, (2) Delay in Carrying Out Assignments, and (3) Misuse of Position. The notice of proposed suspension informed you of your right to reply orally and/or in writing within fourteen (14) calendar days from the date you received the proposal. On November 5, 2013, your representative (Shaw Bransford & Roth, P.C.) requested an extension for you to submit your reply. Consequently, you were granted until November 29, 2013 to provide a reply to the proposed 14 day suspension. On November 29, 2013, your representative provided a written reply to me.

I have carefully considered the proposed suspension, your written reply, applicable Douglas Factors, and all supporting documentation. Based on my review of the aforementioned information, I find that each of the charges are sustained and warrant your suspension for 14 days to promote the efficiency of the service.

With respect to Charge 1, Failure to Follow Supervisor's Instructions, Specification 1, you failed to follow my instructions, as your second level supervisor, in preparing a draft agency shutdown memo. I find your response to this charge to be insufficient. In the email regarding the supervision during Ms. Cokley's maternity leave, I made it clear that the staff managers were to work under the direction of the Council. Ms. Cokley, as your first level supervisor, provided you with a direct order to follow my instructions. GSA legal advised you that you were required to carry out my instructions. In your communications, you based your refusal on me not having authority to give you a direct order. Your misconduct jeopardized the agency's ability to follow OMB directives and preserve the integrity of its operations during the federal shutdown. I find your proffered reasons not to be legitimate and even if any credence was given these reasons, they do not change the fundamental nature of your failure to follow my directives.

With respect to Charge 1, Specifications 2 and 3, again you premised your refusal to follow instructions based on your perception of me not having authority to instruct you. Your response does not refute that you were insubordinate in refusing to follow my instructions. In fact, your written response indicates that you still believe that I do not have the authority to give you direct orders. Your refusal to assist with the DEVIS

contract risked NCD's website going offline which would cut off a critical communication and information source for its constituents. Your refusal to respond to telephone calls or emails during a critical end of FY period risked NCD not being able to reallocate remaining FY funds prior to the expiration of the FY. Your refusal to follow my instructions placed NCD operations in great peril.

With respect to Charge 2, you failed to timely follow up with a critical personnel matter. You then refused to follow instructions from Ms. Cokley or me in processing the telework agreement for Ms. Carroll. You did not offer sufficient rationale for your failure to timely carry out your duty or follow instructions. Your failure caused NCD to be without Ms. Carroll's support during a critical period which NCD was thinly staffed.

With respect to Charge 3, you inappropriately contacted the IT contractor's manager regarding your own FOIA request. This astonishing misconduct is a clear misuse of your position given that you did not discuss this matter with your supervisor before taking that action. Your continuing misconduct with the IT contractor was viewed in light of his reasonable refusal to provide you with requested but inappropriate access to NCD's IT systems, resulting in reassignment of the IT contractor to the ED. You do not provide a sufficient response to refute this charge.

I have carefully considered each of the Douglas factors and your discussion of the Douglas Factors in your written reply. I find your actions to have been intentional and seriously jeopardized NCD operations. NCD has sustained significant fiscal and operational harm as a result of your repeated deliberate refusals to follow instructions. NCD was significantly harmed as a result of your repeated and deliberate refusal to timely carry out your duties. As the Director of Administrator, GS-341-15, you hold a senior position and are responsible for significant management duties in a small staffed agency. Your actions caused NCD significant harm when you refused to follow instructions for no good cause. You continued to engage in your misconduct even though you were repeatedly advised and warned by your superiors and GSA about your obligation to follow the instructions of your supervisors.

In arriving at my decision, I have considered the seriousness of your misconduct. I also considered the fact that you have approximately 24 years of federal service with a satisfactory performance record and no prior disciplinary actions.

In accordance with the above, you are advised that you will be suspended from duty and pay effective January 6, 2014. Your 14 calendar day suspension ends on January 19, 2014. Due to the Federal holiday on January 20, 2014, you are expected to return to work on your next scheduled workday, which will be January 21, 2014.

You have the right to contest the propriety of this action under NCD's Grievance Procedures. If you choose to file a grievance, it must be submitted in writing within 15 calendar days of your receipt of this notice. You may represent yourself or be represented by anyone of your choosing, provided that person is not conflict meets the criteria in Chapter 1, subparagraph 6a of the grievance procedures. With your

immediate supervisor's advanced approval, you will be allowed a reasonable amount of official time to present your grievance to the Deciding Official. This allowance of official time does not extend to the preparation of a grievance.

If you believe this personnel action is based in whole or in part on discrimination because of your race, color, religion, sex, age, national origin, sexual orientation, physical or mental handicap, or retaliation for prior EEO activity, you may file a complaint of discrimination with the Equal Employment Opportunity (EEO) Office, Office of Civil Rights. To initiate this process, you must contact an EEO Counselor within forty-five (45) calendar days of the effective date of this action.

If you are experiencing any problems that may be affecting your conduct, you may always seek guidance through the Employee Assistance Program. You may speak with a counselor by calling 1-800-222-0364. You may also visit them on the web www.foh4you.com to learn more about their services. Please note that the EAP personnel are not GSA employees. This service is free and confidential.

You will be notified electronically when the Standard Form 50, Notification of Personnel Action affecting your suspension is processed.

Your signature below does not imply agreement with the contents of this letter. It only indicates your receipt. Failure to sign will not void the letter or any of its contents.

(b) (6)

Jill Rosen
Chairperson
National Council on Disability

ACKNOWLEDGMENT OF RECEIPT

Employee Name

Date

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [Lisa Brown-Gilmore - CPWA](#)
Date: 9/30/2013 12:24:56 PM
Subject: RE: Sylvia's Husband

I checked with some interpreters and no one is available this afternoon.

I'm continuing to look around. Please keep me posted about any developments in the meantime.

From: Lisa Brown-Gilmore - CPWA <lisa.gilmore@gsa.gov>
Sent: Monday, September 30, 2013 12:15 PM
To: Jeff Rosen
Cc: Rebecca Cokley; David Allen
Subject: Re: Sylvia's Husband

Jeff and Rebecca,
Please keep all emails from employees regarding this incident. We just spoke to Rebecca and she is calling Sylvia now. At any rate, Jeff please go to NCD to follow up on everything. Thanks

On Mon, Sep 30, 2013 at 12:01 PM, Lisa Brown-Gilmore - CPWA <lisa.gilmore@gsa.gov> wrote:

Rebecca, can you call Sylvia and find out what is going on? If she does not pick up, call another employee and have them tell Sylvia to call you immediately. If that does not occur, please have security escort Sylvia and her husband from the office. Make sure that they take Sylvia's badge and keys. Thanks

On Mon, Sep 30, 2013 at 11:56 AM, Jeff Rosen <jrosen@ncd.gov> wrote:

I am willing, but it will take me an hour to get to DC.

Can we ask a Federal marshal or someone like that to immediately go in? That will help secure the situation until I get there.

Please advise.

Thanks.

-Jeff

From: Lisa Brown-Gilmore - CPWA <lisa.gilmore@gsa.gov>
Sent: Monday, September 30, 2013 11:53 AM
To: Rebecca Cokley
Cc: David Allen; Jeff Rosen
Subject: Re: Sylvia's Husband

Jeff,

Can you please go over to NCD with an interpreter to find out exactly what is going on You should have security on hand in case there is any inappropriate behavior. Thanks

On Mon, Sep 30, 2013 at 11:34 AM, Rebecca Cokley <rcokley@ncd.gov> wrote:

Lisa

I've been contacted by 3 staff about this today. What can we do?

RC

Sent from my iPhone

Begin forwarded message:

From: Robyn Powell <RPowell@ncd.gov>
Date: September 30, 2013 at 11:23:13 AM EDT
To: Jeff Rosen <jrosen@ncd.gov>, Rebecca Cokley <rcokley@ncd.gov>
Subject: Sylvia's Husband

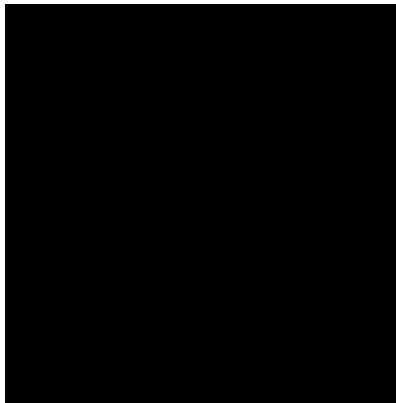
Hi Jeff and Rebecca,

Staff have informed me that a man (assumedly Sylvia's husband) has been in Sylvia's office for several hours with her and that they have overheard what sounds like papers being ripped. I wanted to let you know, as this seems inappropriate.

Thanks,
Robyn

--

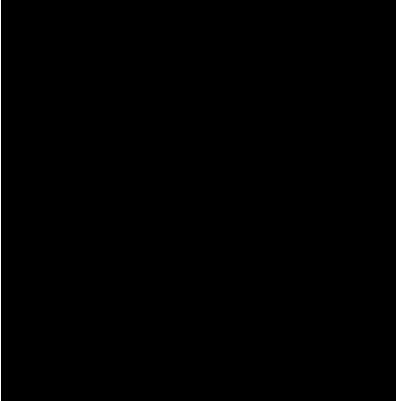
Lisa Gilmore
Human Resources Specialist (Employee Relations)
Washington Area Operations Center
Employee Relations Branch-CPWA
301 7th Street, S.W., Room 1022
Washington, DC 20407
202-205-4929 Desk
202-(b) (6) Mobile Phone
[202-708-5377](tel:202-708-5377) fax



https://docs.google.com/a/gsa.gov/forms/d/1nhjCN6rnQLHds76fKF2MsLyLHchZpKL7e_LIZjNJlr0/viewform

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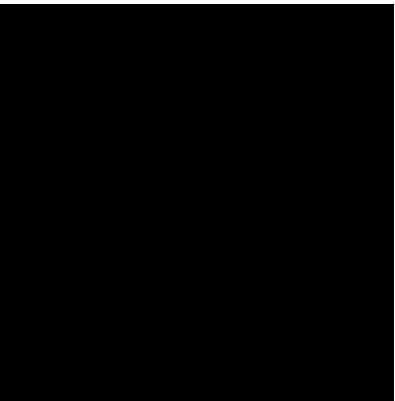
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https://docs.google.com/a/gsa.gov/forms/d/1nhjCN6rnQLHds76fKF2MsLyLHchZpKL7e_LIZjNJlr0/viewform

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Lisa Gilmore
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https://docs.google.com/a/gsa.gov/forms/d/1nhjCN6rnQLHds76fKF2MsLyLHchZpKL7e_LIZjNJlr0/viewform

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [Lisa Brown-Gilmore - CPWA](#)
Date: 9/26/2013 12:32:18 PM
Subject: RE: Request from NCD Chair

what is her email address? thanks.

(b) (5)

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [David Allen - WPG-C](#)
[Lisa Brown-Gilmore - CPWA \(lisa.gilmore@gsa.gov\)](mailto:lisa.gilmore@gsa.gov)
Date: 9/26/2013 7:00:18 AM
Subject: RE: Please Respond ASAP

Good morning David & Lisa -

What is the status of the situation with Stephanie & Kamilah's reimbursements? I want to be sure we don't miss any end of the FY deadline.

GSA's finance personnel are looking into the Burgdorf reimbursement and will provide me with their analysis.

Thanks.

-Jeff

From: Jeff Rosen
Sent: Wednesday, September 25, 2013 9:55 AM
To: David Allen - WPG-C; Lisa Brown-Gilmore - CPWA (lisa.gilmore@gsa.gov)
Cc: Gary Blumenthal; Rebecca Cokley
Subject: FW: Please Respond ASAP

David -

Following on your request for written documentation of Sylvia's refusal to process Stephanie's travel reimbursement.

There are others which I will forward to you next.

I would appreciate your assistance with these items and if appropriate, draft a direct order to Sylvia to process payment for these items.

-Jeff

From: Gary Blumenthal
Sent: Tuesday, September 24, 2013 4:35 PM
To: Sylvia Jones
Cc: Jeff Rosen
Subject: RE: Please Respond ASAP

Sylvia, Are you thus stating that (b) (6) will not be paid or that you will be able to process the payment after October 1, 2013?

Gary

From: Sylvia Jones
Sent: Tuesday, September 24, 2013 9:47 AM
To: Gary Blumenthal
Cc: Sylvia Jones
Subject: FW: Please Respond ASAP

Gary,

Per close out guidance that I sent to all NCD staff on August 14, the last day for vendor invoices, obligations and accruals to be received in GSA to ensure processing by Sept 30...was Friday, Sept 13. NCD is currently non-compliant to GSA fiscal year close out guidance. The consistent influx of untimely emails and directives from you and Jeff last week has impeded my workload. Professional courtesy goes both ways. As you aware we do not have a Financial Analyst in place due a delay in hiring by the Chair and Executive and I am closing out the budget alone. A task that was completed in the past by three (3).

Regarding (b) (6) per the NCD Financial Manual - travel vouchers must be completed within five (5) business days upon completion of travel. (b) (6) had three outstanding travel vouchers that dated back to June 2013, one of which I completed last week. She was not notified twice concerning the vouchers however she took no action.

Regarding the cooperative agreement extension - this is being handled by Gerrie. Per her email to earlier, she will review and get back to you by noon today.

Also please be advised that prior to her departure from office for delivery, Rebecca had financial transactions in her possession for review and signature (i.e. travel vouchers, bills, credit card statements).

Sylvia

From: Gary Blumenthal <garyblumenthal@addp.org>
Sent: Tuesday, September 24, 2013 9:28 AM
To: Sylvia Jones
Cc: Jeff Rosen
Subject: Please Respond ASAP

Sylvia,

I still need a response from you regarding (b) (6) inquiry and the status of the Cooperative Agreement extension.

As the Council member who has worked with you the most and tried to assist you as you have requested I need the same in return from you now. I have left numerous VMs, emails and phone messages with Stacey. Please return my calls as a professional courtesy.

Gary H. Blumenthal

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [Lisa Brown-Gilmore - CPWA \(lisa.gilmore@gsa.gov\)](mailto:lisa.gilmore@gsa.gov)
[David Allen - WPG-C](#)
Date: 9/24/2013 4:56:02 PM
Subject: FW: Please Respond ASAP

From: Gary Blumenthal
Sent: Tuesday, September 24, 2013 4:35 PM
To: Sylvia Jones
Cc: Jeff Rosen
Subject: RE: Please Respond ASAP

Sylvia, Are you thus stating that Ms. Orlando will not be paid or that you will be able to process the payment after October 1, 2013?

Gary

From: Sylvia Jones
Sent: Tuesday, September 24, 2013 9:47 AM
To: Gary Blumenthal
Cc: Sylvia Jones
Subject: FW: Please Respond ASAP

Gary,
Per close out guidance that I sent to all NCD staff on August 14, the last day for vendor invoices, obligations and accruals to be received in GSA to ensure processing by Sept 30...was Friday, Sept 13. NCD is currently non-compliant to GSA fiscal year close out guidance. The consistent influx of untimely emails and directives from you and Jeff last week has impeded my workload. Professional courtesy goes both ways. As you aware we do not have a Financial Analyst in place due a delay in hiring by the Chair and Executive and I am closing out the budget alone. A task that was completed in the past by three (3).

Regarding S(b) (6) - per the NCD Financial Manual - travel vouchers must be completed within five (5) business days upon completion of travel. (b) (6) had three outstanding travel vouchers that dated back to June 2013, one of which I completed last week. She was not notified twice concerning the vouchers however she took no action.

Regarding the cooperative agreement extension - this is being handled by Gerrie. Per her email to earlier, she will review and get back to you by noon today.

Also please be advised that prior to her departure from office for delivery, Rebecca had financial transactions in her possession for review and signature (i.e. travel vouchers, bills, credit card statements).

Sylvia

From: Gary Blumenthal <garyblumenthal@addp.org>
Sent: Tuesday, September 24, 2013 9:28 AM
To: Sylvia Jones
Cc: Jeff Rosen
Subject: Please Respond ASAP

Sylvia,

I still need a response from you regarding (b) (6) inquiry and the status of the Cooperative Agreement extension. As the Council member who has worked with you the most and tried to assist you as you have requested I need the same in return from you now. I have left numerous VMs, emails and phone messages with Stacey. Please return my calls as a professional courtesy.

Gary H. Blumenthal

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:Jrosen@ncd.gov)
To: [Lisa Brown-Gilmore - CPWA \(lisa.gilmore@gsa.gov\)](mailto:lisa.gilmore@gsa.gov)
[David Allen - WPG-C](#)
Date: 9/23/2013 4:01:00 PM
Subject: FW: NCD FY 13 Purchases

Your advice?

Thanks.

-Jeff

From: Sylvia Jones
Sent: Monday, September 23, 2013 3:57 PM
To: Jeff Rosen
Cc: Sylvia Jones; Gary Blumenthal; Rebecca Cokley
Subject: FW: NCD FY 13 Purchases

Jeff,

Pursuant to NCD Authorizing Statutue and the NCD Bylaws, the NCD Chair is not authorized to supervise office staff; nor is the NCD Chair responsible for managing the day to day operations of the office. Per the statutue and the bylaws, the chairperson is responsible for the appointment, supervision, and at his/her discretion, **removal** of the Executive Director.

As a result, I find your continous emails to be harrassing and retailatory in nature and the distractions and interruptions are impeding my workload.

Ms. Cokley issued me a direct order regarding these issues on June 28, 2013 and I complied with her direct order. Therefore I request that you cease and desist issuing any further communication due to the nature of the request as it pertains to a direct order issued to me by my supervisor.

Your threats are unwarranted and unlawful as you are acting outside the scope of your duties. If you have any questions in the absence of the NCD General Counsel, please consult with GSA. Also, please note that these unlawful threats against me have been forwarded to the appropriate government officials.

-Sylvia

From: Jeff Rosen
Sent: Thursday, September 19, 2013 10:02 AM
To: Sylvia Jones; Gary Blumenthal
Cc: Rebecca Cokley
Subject: RE: NCD FY 13 Purchases

Sylvia,

In Rebecca's absence I am giving you a direct order. Failure to follow this order can lead to disciplinary action up to and including removal.

You are directed to add \$80,000 to the cooperative agreement for managed care forums as directed by the executive committee (Item # 8 of their request), or to provide me with the written law, rule or regulation that prevents you from doing so by COB 9-23-13.

-Jeff

From: Sylvia Jones
Sent: Thursday, September 19, 2013 9:30 AM
To: Gary Blumenthal
Cc: Jeff Rosen; Rebecca Cokley; Sylvia Jones
Subject: RE: NCD FY 13 Purchases

Gary,

Our telephonic conversation concerning technology purchases is totally different than your email to me on yesterday. Per our conversation on Tuesday, you stated "that the technology purchases were not wise." It now appears that your position has drastically changed. Nonetheless please note the following:

The following purchases will be made via credit card today:

8 monitors
1 small TV

Also note:

1. OMB memorandum applies to all agencies to include micro agencies, which I advised all in the past.
2. Regarding the Manage Care Forum - per directive from Rebecca, I channeled my complaint concerning these matters to the appropriate authorities therefore I recuse myself from this matter.
3. Briefing the A&F Committee on the SOF, spending requests, etc., has always been the responsibility of the ED.

In closing, I would like to note that the "big bolded red letters" was condescending and humiliating as it gave an impression that you were talking down to me. During my tenure at NCD, you have never spoken to me in such a manner, which leads me to believe you're upset with me because I choose not to look the other way concerning issues in the office. You state that you want to work with me to help our agency run smoothly; as you know, I work extremely hard here and I'm willing to do anything for the agency as long as it's legal and ethical.

Respectfully,
Sylvia Jones
Director of Administration
National Council on Disability
202-272-2113

"To give real service you must add something which cannot be bought or measured with money, and that is sincerity and integrity." - Douglas Adams

From: Gary Blumenthal <garyblumenthal@addp.org>
Sent: Thursday, September 19, 2013 8:44 AM
To: Gary Blumenthal; Sylvia Jones
Cc: Jeff Rosen; Rebecca Cokley
Subject: RE: NCD FY 13 Purchases

Sylvia,

Please let me know when I can receive answers to my questions **(in Red Below)** today so that I may advise the Executive Board of progress being made in this area. Also I wanted to clarify that in the original notice of the

meeting that I sent out the Agenda was attached noting SOF and spending requests.

Gary

From: Gary Blumenthal [mailto:garyblumenthal@addp.org]
Sent: Wednesday, September 18, 2013 4:31 PM
To: 'Sylvia Jones'
Cc: 'Jeff Rosen'; 'Rebecca Cokley'
Subject: RE: NCD FY 13 Purchases

Sylvia,

Please further clarify my notes in Red below:

Gary

From: Sylvia Jones [mailto:sjones@ncd.gov]
Sent: Wednesday, September 18, 2013 3:20 PM
To: Gary Blumenthal
Cc: Jeff Rosen; Rebecca Cokley; Sylvia Jones
Subject: RE: NCD FY 13 Purchases

Gary,

Leading up to A&F meeting this morning, you and I had several conversations regarding the recommended purchases for FY 2013 and prior to the end of our call on yesterday I explained to you the difficulty in acquiring the purchases so late in the fiscal year. I say this because I was blindsided this morning... first with a request to brief the committee on the SOF and then to provide an update on the purchases, which is the responsibility of the ED. As I stated to you on Friday, last year there was three of us closing out the budget, Aaron, Carla and myself. This year I have no Carla, no help from the ED and my workload is heavy. There are a lot of pieces to closing out a budget and I just hope that I can get everything done that needs to be done timely.

Per your request...below is an update on the purchase request:

1.Immediate replacement of 10 computers:

Response: the price received for the units was a quote only. Due to contractual requirements we are unable to acquire these systems.

****Additionally,** per OMB Memorandum M-11-11 dated February 3, 2011 agencies were directed to develop and issue an implementation policy as of March 31, 2011 requiring the use of the Personal Identity Verification (PIV) credentials as the common means of authentication for access to the agency's facilities, networks, and information systems. Also, effective the beginning of FY2012, procurement for services and products involving facilities and system access must be in accordance with HSPD-12 Policy and the Federal Acquisition Regulation (FAR).

We have the current dollars in FY 13, we may need dollars for other usage in FY 14; what is the penalty or not being in accordance with the 3/31/11 PIV credential noting that we are a very small agency for which we this may not necessarily have been designed for in its design.

NCD is currently non-compliant to this policy therefore I strongly recommend that funding be approved to purchase appropriate equipment for staff in the upcoming FY.

2. Replace 8 monitor at \$195.....through GSA vendors 195 x 8 units = \$1560.00

Response: Nick failed to identify vendors for this purchase therefore we cannot make a purchase. Also, is there a need for 8 monitor's if we are not purchasing computers? To my knowledge only 3 monitors may be needed for dual-monitor purposes. **Nick identified Dell directly for this with credit card purchase initially, you suggested GSA. Why can we not purchase order today or credit card directly with Dell.com**

3. Printers

Response: All specs provided by Nick for the printers were outdated with the exception of one, though there was a slight price difference. Nonetheless, we were able to find compatible printers at Staples for a total price of \$2,271.33 which Stacey can purchase with the credit card upon your approval. **Thank you for facilitating this purchase today.**

4. Video Conferencing Citrix Go To Meeting \$39 x 4 meeting organizers \$2000

Response: This appears to be a typo. \$39 times 4 is \$156 not \$2000. Upon receiving clarification on this item I will look further into it and get back to you. **I look forward to your response.**

5. Video Editing for Lawrence Unique PC & accessories \$3000 range

Details:

Response: Per conversation with Lawrence he requires PhotoShop training. In addition, please note that Nick did not identify specific equipment, model numbers and/or item numbers for the purchases. Per the request...column 4, it appears that these items may be potential purchase for FY14 and FY15.

6. One television for C-SPAN -

Response: This is not a cost effective purchase. The agency currently has a rarely used TV in the conference room that can be transferred to the ED's office which will save the agency and tax payer's a \$1000. **This is a purchase decision authorized by the E Board who has made the judgement call on this. The cost of a small new model TV will be substantially less than \$1000. Please execute this today via Credit Card. This is a judgement call by the Executive Committee, you may not agree, but this is a directive from the E Board on behalf of the Council.**

7. Google Driverless Car Report -

Response: Contractual Issue

8. Manage Care Forums:

Response: Per earlier conversations, please note that is **not** a contract but instead a cooperative agreement. **Please add to this cooperative agreement as directed by the E Board. What is the reason for not adding to a cooperative agreement?**

I want to work with you to help our agency run smoothly. Please respond ASAP.

Please let me know if you have any questions.

Thank you,
Sylvia

From: Gary Blumenthal <garyblumenthal@addp.org>

Sent: Friday, September 13, 2013 1:01 PM

To: Sylvia Meniffee

Cc: Jeff Rosen; Rebecca Cokley

Subject: FW: NCD FY 13 Purchases

Sylvia,

I understand the difficult pressure you will be under to get this done today to meet the deadline. To the best of my knowledge this is a partial list of expenditures that the Executive Committee, Jeff and Becca have signed off on. I do believe there may be some additional expenditures from current FY 13 dollars that Jeff and Becca wish to make however I've not been able to get ahold of them today for confirmation. I am cc-ing Jeff and Becca on this email in the hope that they'll see it and respond asap.

Thank you.

Gary

1. Immediate replacement of 10 computers.....per unit cost: 1600 x 10 units = \$16,000
Vendor: Advance Computer Concept recommended by Sylvia, better cost than Nick's recommendation

2. Replace 8 monitor at \$195.....through GSA vendors 195 x 8 units = \$1560.00

3. Printers

	4x HP P1606 DN	\$210.96 each	\$843.84
	HP Laserjet Pro 400		
	BW Printer		\$285.40
	extra paper tray		\$117.96
	HP Laserjet Pro 400		
	Color		\$481
	HP 500		\$762

4. Video Conferencing Citrix Go To Meeting \$39 x 4 meeting organizers \$2000

5. Video Editing for Lawrence Unique PC & accessories \$3000
range
Details:

NCD IMPROVEMENT OPPORTUNITY	Inclusive photos for use on the website, publications, and infographics (photos are paid for per download and prices vary but many are \$20/each for websites)	PhotoAbility.com	FY14, FY15 - PhotoAbility.com	\$300.00
NCD IMPROVEMENT OPPORTUNITY	HD Digital Camera for film , consistent with Jeff and other Council Members' and the ED's vision for expanding our video presence; purchasing for in-house use gives us creative control over look/feel and content	Samsung.com	One-time purchase	\$499.99
NCD IMPROVEMENT OPPORTUNITY	Sync Words Video Captioning Service (50-100 hours annual package, plus gov't discount)	SyncWords.com	FY14, FY15 - Sync Words	\$139.00
NCD IMPROVEMENT OPPORTUNITY	Audio production kit (podcast studio) to pursue adding brief podcast summaries of our reports to each report landing page going forward	Behringer.com	One-time purchase	\$145.00
NCD IMPROVEMENT OPPORTUNITY	Adobe PhotoShop for use in design of infographics, homepage slides, simple covers for in-house reports, etc. (\$650/computer)	Adobe.com	One-time purchase	\$1,300.00

NCD IMPROVEMENT OPPORTUNITY	Training -- GPO Photoshop training	The Institute at GPO (Government Printing Office)	One-time purchase	\$475.00
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6. One television for C SPAN

\$1000

Tech subtotals:

\$25,764.80

**7. Google Driverless Car Report
add**

\$15,000

8. ADD \$80,000 to Managed Care Forums: additional forums in regions and meetings in states

The contractor is Ellen Piekalkiewicz. Julie is monitoring this contract.

**And state associations (NCSL) and CSG, and others.... Add:
\$80,000**

Conduct 3-6 additional regional focus groups with Disability Leadership Stakeholders on Medicaid managed care and disability related issues to the NCD strategic plan in regions

9. EEI Editing services mentioned by Anne
Sommers

\$15,000

Sub total:

\$135,076.80

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2012.0.2242 / Virus Database: 3222/6162 - Release Date: 09/13/13

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [Sylvia Jones](#)
Date: 9/23/2013 3:20:20 PM
Subject: URGENT NCD directive to Ms. Meniffee

Sylvia,

Your decision to stop reading emails or taking phone calls until September 25, 2013 is a gross neglect of your duty and will not be tolerated. I consider this to be a failure to perform the basic functions of your job. You are hereby directed to continue to read and respond to emails and telephone calls effective immediately. Failure to follow this direct order may lead to disciplinary action up to and including removal.

-Jeff

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)

To: [Kamilah Martin-Proctor](#)

[Stephanie Orlando](#)

[Clyde Terry](#)

[Clyde Terry](#)

[Lynnae Rutledge](#)

[Gary Blumenthal](#)

garyblumenthal@addp.org

Date: 9/23/2013 9:23:14 AM

Subject: YOUR APPROVAL REQUESTED: NCD Realignment

Dear Executive Committee members -

As you know we recently had some difficulty with our end-of-year budget. While we are working to deal with that immediate issue, we also have to address the underlying cause so that we prevent future problems in this area. What Rebecca and I propose is that the two positions (Financial Analyst and Administrative Specialist) currently reporting to Ms. Sylvia Meniffee supporting the Financial Management of the agency be realigned to now report directly to Rebecca. Ms. Meniffee will continue with her current duties as primary contact for Financial Management issues and will continue to be supported by the positions realigned to report to Rebecca.

It is our belief that this realignment will allow for better monitoring of the Financial Management functions and assist management in becoming involved earlier with issues which need their attention. Your approval of this proposed realignment is requested.

-Jeff

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:Jrosen@ncd.gov)
To: [David Allen - WPG-C](#)
[Lisa Brown-Gilmore - CPWA \(lisa.gilmore@gsa.gov\)](mailto:lisa.gilmore@gsa.gov)
Date: 9/17/2013 7:38:38 PM
Subject: Admin issues

Dave & Lisa -

Now that NCD has made a commitment to reassign its financial management from the Director of Administration to better handle NCD's needs in the aftermath of the \$200,000+ excess unspent FY '13 funds and the ongoing issues with payment of NCD's expenses, I want to work through a few issues.

Its likely that NCD like all other federal agencies will be on CR (or a sequestration) at the outset of FY '14. NCD will be making some expenditures in early October when it meets in Kansas on 10/7-8. Given the lack of timely support we receive from Sylvia on the necessary financial information, I'm very concerned that about the consequential risk to NCD by overspending its allocation and placing it in an anti-deficiency violation, which the ED must report to Congress by law.

As an immediate step to reduce NCD's exposure to risk, I suggest the Director of Administration's financial management duties to be reassigned to the ED effective upon NCD's Executive Committee approval. I suggest GSA's financial department take over any interim financial support needs under the supervision of the Chair of the Administration and Finance Committee during Rebecca's leave. Rebecca can hire the 2 new financial support positions upon her return.

Thank you for working up a plan to go ito effect by the end of this month.

-Jeff

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [Scott Royster - BCED](#)
[Tom Hodnett - CB](#)
[Matt Conrad - CB](#)
Date: 10/18/2013 8:12:10 AM
Subject: RE: Help from GSA for NCD

Thanks Scott.

As for procurement services, we would like to separately contract with GSA to obtain that support from them.

I look to Tom's reply soon.

-Jeff

From: Scott Royster - BCED <ronald.royster@gsa.gov>
Sent: Friday, October 18, 2013 8:08 AM
To: Tom Hodnett - CB; Matt Conrad - CB
Cc: Jeff Rosen; Gary Blumenthal; David Allen - WPG-C; Lisa Brown-Gilmore - CPWA; scott.royster@gsa.gov; Rebecca Cokley; Vickie Jones; Michael Swanchara - BC; Marisa Quinlivan; Julianne White; Michele R. Nokes; Lesly Wilson - LG
Subject: Re: Help from GSA for NCD

Tom,

National Council on Disability is in need of some temporary contractor support to help them in the procurement/financial arena. Can you please put Jeff in contact with the person who can help them contract for a support person quickly. They may also need some guidance on what financial/procurement functions a contractor can assist with from a responsibility stand point.

Thanks!
Scott

R. Scott Royster
Chief, External Services Branch (BCED)
Financial and Payroll Services Division (BCE)
Office of the Chief Financial Officer
General Services Administration
Phone 816-926-5072
Cell 816-(b) (6)
scott.royster@gsa.gov or ronald.royster@gsa.gov

On Thu, Oct 17, 2013 at 7:44 PM, Jeff Rosen <jrosen@ncd.gov> wrote:

Hi Scott -

Checking about GSA's offer to help NCD acquire a temp financial person. Could someone contact me about this soon?

Appreciate it.

-Jeff

From: Jeff Rosen

Sent: Friday, September 27, 2013 4:18 PM

To: Scott Royster - BCED

Cc: Gary Blumenthal; David Allen - WPG-C; Lisa Brown-Gilmore - CPWA; scott.royster@gsa.gov; Rebecca Cokley; Vickie Jones; Michael Swanchara - BC; Marisa Quinlivan; Julianne White; Michele R. Nokes

Subject: RE: Help from GSA for NCD

As a last note, it is urgent that NCD receives procurement and temp support. Thank you for helping us make it happen asap.

-Jeff

From: Jeff Rosen

Sent: Thursday, September 26, 2013 9:01 PM

To: Scott Royster - BCED

Cc: Gary Blumenthal; David Allen - WPG-C; Lisa Brown-Gilmore - CPWA; scott.royster@gsa.gov; Rebecca Cokley; Vickie Jones; Michael Swanchara - BC; Marisa Quinlivan; Julianne White; Michele R. Nokes

Subject: RE: Help from GSA for NCD

Thanks Scott.

NCD does not have a designated procurement/contracting officer. GSA legal provided an opinion that I have the authority to enter into contracts as the agency head and that I also have the authority to delegate it, which I have to Gary in my stead if necessary. Gary and I are handling the procurement decisions, approving expenditures and signing obligating documents.

Rebecca as the agency ED is in the process of receiving training to become the agency procurement/contracting officer. We have contacted GSA to receive an estimate to provide us with procurement support and we would appreciate your help in putting into place an agreement with GSA for that service.

It is our intent to keep Sylvia performing the full scope of her responsibilities. She would keep track of the funding being obligated. However she has refused on a number of occasions to assist with preparing the appropriate documents. She also has other conduct issues which GSA HR is assisting us with. In light of the ongoing issues with her and the possibility she will be unavailable for a variety of reasons, we would like to have a temporary staff person as a back up. You've indicated before that you could help us procure someone, we would like that person onboard asap. This temp would help ensure that NCD has timely financial document preparation and obligation reporting in the event Sylvia becomes unavailable for any significant period of time.

GSA's role would be to establish controls around the process, advise us about the proper procedures, keep us informed about our financial status and assist with various questions as you have done recently. This role would be temporary until NCD fills the two financial positions who are then trained by GSA.

Appreciate it.

-Jeff

From: Scott Royster - BCED <ronald.royster@gsa.gov>

Sent: Thursday, September 26, 2013 5:41 PM

To: Jeff Rosen

Cc: Gary Blumenthal; David Allen - WPG-C; Lisa Brown-Gilmore - CPWA; scott.royster@gsa.gov; Rebecca Cokley; Vickie Jones; Michael Swanchara - BC; Marisa Quinlivan; Julianne White; Michele R. Nokes

Subject: Re: Help from GSA for NCD

Jeff, Gary,

I think all of these things fall within the scope of your current interagency agreements with GSA. My office can clearly help you in monitoring your FY13 and FY14 funding and the status of financial actions. We can also serve as a resource to help you in clarifying financial policy and/or direct you to the authoritative source.

As you stated below, NCD will have to maintain the responsibility for operating and procurement decisions, approving expenditures, signing obligating documents, etc. We can help you track and maintain your current financial position, as long as we know what funding is being obligated. You will need someone who can continue to prepare documents for the agency. We can provide the training and assistance necessary for coding the documents appropriately. We can also help you establish a method of tracking approved obligations and monitoring those against your budget.

For procurement activities (not show who your procurement/contracting officer is today), we can work with other GSA offices to help you through procurement activities. We have some offices that can do procurement work and/or provide you with the appropriate procurement policies that must be followed. My office can not do the procurements on your behalf as we do not have a contracting officer/procurement specialist in place.

Is your intent to remove Sylvia from the process or just to establish controls around the process and advise on the correct procedures that need to be followed? If you are going to remove her from the process, they you may want to get a temporary staff person who can process documents. We can assist you in providing oversight and direction, but you will need an on-site person who can keep things moving along.

The other emails today are perfect examples of how we can provide assistance to ensure the proper rules are being followed. Is this what you had in mind until you can hire a permanent resource and get them trained?

Scott

R. Scott Royster
Chief, External Services Branch (BCED)
Financial and Payroll Services Division (BCE)
Office of the Chief Financial Officer
General Services Administration
Phone [816-926-5072](tel:816-926-5072)
Cell [\(b\)\(6\)](tel:816-(b)(6))
scott.royster@gsa.gov or ronald.royster@gsa.gov

On Tue, Sep 24, 2013 at 8:31 PM, Jeff Rosen <jrosen@ncd.gov> wrote:

Gary -

Thanks for following up with GSA on this.

Scott, where we are is that Sylvia Menifee, NCD's Director of Administration told us last July that we would have approximately \$45K excess funds to reallocate. Her guidance was to wait until about September 16th to get a new status of funds to more accurately reallocate. At that time she advised us we now had about \$200K of excess funds. She then virtually disappeared and was not cooperative with NCD managers in attempting to timely reallocate the excess funds. She has continually obstructed NCD financial operations, saying bad or illegal contract or process abd refusing to do anything more.

To ensure that NCD is not placed in this position again, NCD has voted to realign the 2 financial positions under her - Financial Analyst and Administrative Specialist to report directly to the Executive Director while providing the Director of Administration support for her duties. This realignment will provide additional safeguards and oversight. We expect to fill those positions in the late Fall or early Winter when the ED returns from maternity leave.

What we need is temporary support to help us bridge the gap from now until when we hire and train the new personnel. We would be pleased if that additional temporary support came from GSA, they have provided us with excellent HR support. However, it is very important that the support be very responsive as GSA HR has been. If you or your colleagues at GSA can do that for us, that's great we won't need a temp. If it's not possible to get "in time" support from GSA, maybe we should consider hiring a temp and your help in obtaining one if we go that route would be appreciated. Again we prefer to go with GSA if possible. We understand that in any event, the operating and procurement decisions must be made by the heads of the agency, that's not an issue for us. We just need good advice about what to do and how to do it.

I've started below a list of the financial related tasks and functions we need support on:

- Helping us determine exactly how much funds we have remaining in FY '13;
- Helping us determine whether we can obligate remaining FY'13 funds;
- Provide a resource for our financial management related questions;
- Reviewing the status of funds at the outset of '14 and advising about NCD's financial positions and management;
- Identifying appropriate procurement vehicles for NCD obligations; and
- Identifying appropriate financial and other operational management tasks that the Director of Administration must perform to ensure NCD is financially sound and is able to accomplish all of its financial and operational needs.

Gary might have other items to add to the above.

Once we have a temporary financial support person in place, we will provide specific tasks that the person will be asked to assist us and avail ourselves to that resource on an ongoing basis as issues arise in managing the Director of Administration.

Thanks.

-Jeff

From: Gary Blumenthal <garyblumenthal@addp.org>
Sent: Tuesday, September 24, 2013 4:05 PM
To: Jeff Rosen; David Allen - WPG-C; Lisa Brown-Gilmore - CPWA
Cc: scott.royster@gsa.gov
Subject: Help from GSA for NCD

Jeff,

I have spoken with Scott Royster at GSA Kansas City. GSA is willing to assist us, however we need to explain and list in detail the functions we want them to perform. They are also willing to train any additional personnel we bring on, such as the financial analyst and they will help us procure a temp if we choose that route, however they need us to understand the limitations of what a temp may perform. Some duties cannot be given to a contractor or temp, however if we vest those duties in the executive director we may be able to proceed. I have discussed procurements, timekeeping and contractual problems we are having with the incumbent.

Can you or David or Lisa assist me in how we should respond to Scott's kind offer of assistance?

Thank you.

Gary

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:Jrosen@ncd.gov)

To: [Kamilah Martin-Proctor](#)

[Stephanie Orlando](#)

[Clyde Terry](#)

[Clyde Terry](#)

[Lynnae Rutledge](#)

[Gary Blumenthal](#)

garyblumenthal@addp.org

Date: 10/22/2013 9:35:18 AM

Subject: FOR YOUR ACTION: NCD Organizational Needs Action Plan

Attachments: DRAFT NCD Action Plan.docx

As I indicated, to assist us with preparation in advance of our Executive Committee meeting, I have started a draft of a plan of action (attached and copied below) which identifies current organizational objectives and the action items needed to achieve them

Please provide your input. Feel free to edit the draft document and circulate to the group your revisions.

Thanks.

-Jeff

DRAFT

October 22, 2013

NCD Organizational Needs Action Plan

Coming out of the federal shutdown with a CR budget apportionment, significant personnel issues, the absences of key staff managers, unfilled staff vacancies and the realignment of financial support positions, there is an urgent need to set into place an action plan to navigate those challenges. NCD's Executive Committee members, staff managers and GSA support personnel will work together to identify current objectives, develop and implement a plan of action and actively engage in accomplishing the action items.

Objective #1: Provide support for the Executive Director.

Action items:

Retain an on-site contractor to assist the Executive Director with the performance of her daily duties. Rebecca to provide a scope of work for the contractor.

Objective #2: Provide support for the NCD staff and enhance their workplace.

Action items:

Rebecca and Lisa will develop options for our consideration.

Retain an on-site contractor to assist with HR issues, staff communications and morale, and organizational development needs. Rebecca and Lisa to provide a scope of work for the contractor.

Objective #3: Provide support for NCD's financial management

Action items:

Retain an on-site temporary contractor to perform financial analyst duties. Jeff and Gary to follow up with GSA in acquiring the contractor.

Resolve the backlog of contractor invoices, reimbursement of expenses and Member salary. Gary to obtain a list of those items from Rebecca.

Fill the financial analyst position and advertise the Administrative Support position.

Objective #4: Resolve pending administrative needs

Action items:

Provide support for the EEO complaint. Jeff is working on it with GSA.

Address the MSPB claim. Rebecca and Robyn are working on it with GSA.

Complete the FOIA request. Robyn and Janni are working on it with GSA.

Objective #5: Respond to request for an Executive Session of the Council.

Action items:

The Executive Committee assigns a member to help set up that meeting.

DRAFT

October 22, 2013

NCD Organizational Needs Action Plan

Coming out of the federal shutdown with a CR budget apportionment, significant personnel issues, the absences of key staff managers, unfilled staff vacancies and the realignment of financial support positions, there is an urgent need to set into place an action plan to navigate those challenges. NCD's Executive Committee members, staff managers and GSA support personnel will work together to identify current objectives, develop and implement a plan of action and actively engage in accomplishing the action items.

Objective #1: Provide support for the Executive Director.

Action items:

- Retain an on-site contractor to assist the Executive Director with the performance of her daily duties. Rebecca to provide a scope of work for the contractor.

Objective #2: Provide support for the NCD staff and enhance their workplace.

Action items:

- Rebecca and Lisa will develop options for our consideration.
- Retain an on-site contractor to assist with HR issues, staff communications and morale, and organizational development needs. Rebecca and Lisa to provide a scope of work for the contractor.

Objective #3: Provide support for NCD's financial management

Action items:

- Retain an on-site temporary contractor to perform financial analyst duties. Jeff and Gary to follow up with GSA in acquiring the contractor.
- Resolve the backlog of contractor invoices, reimbursement of expenses and Member salary. Gary to obtain a list of those items from Rebecca.
- Fill the financial analyst position and advertise the Administrative Support position.

Objective #4: Resolve pending administrative needs

Action items:

- Provide support for the EEO complaint. Jeff is working on it with GSA.
- Address the MSPB claim. Rebecca and Robyn are working on it with GSA.

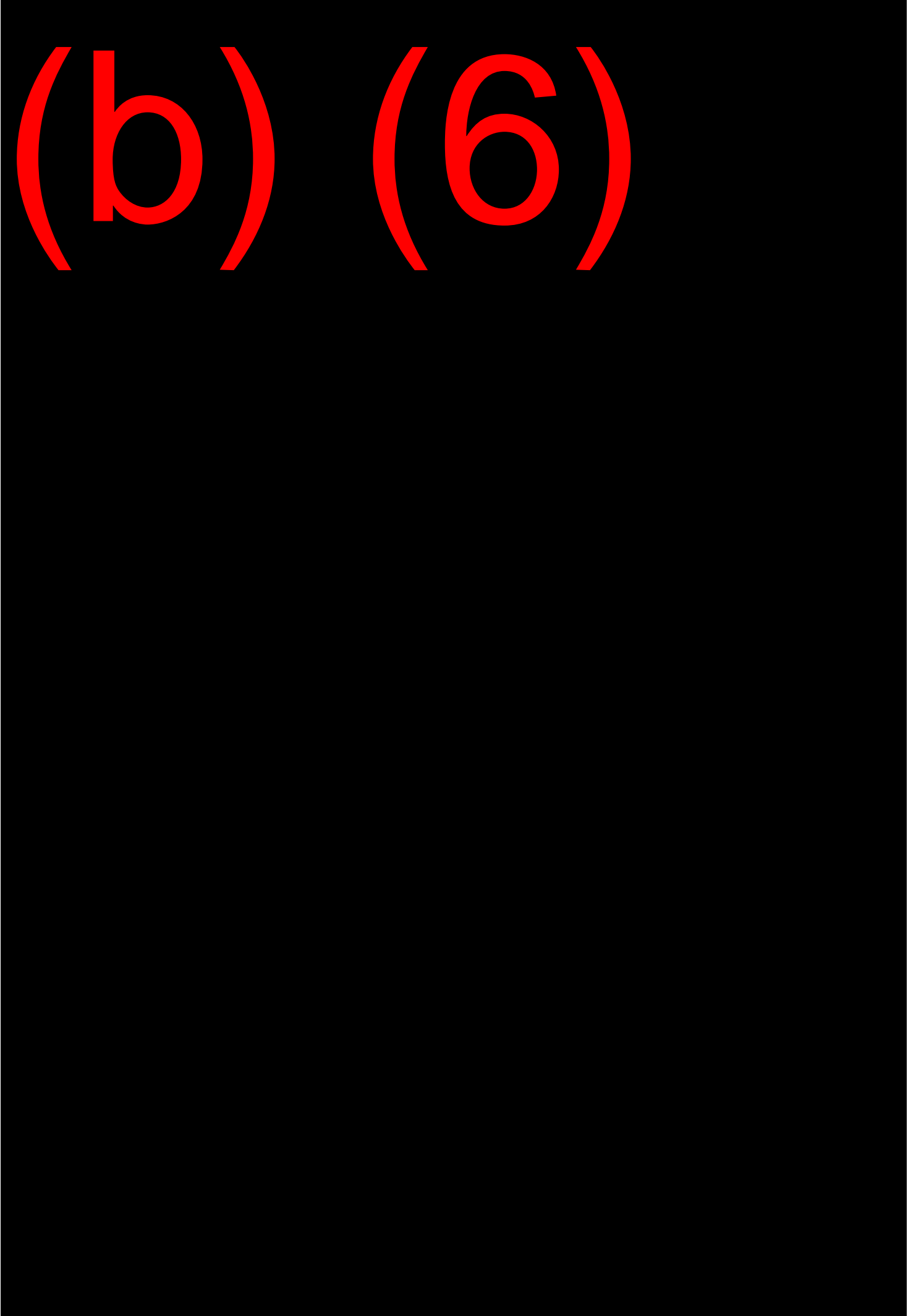
- Complete the FOIA request. Robyn and Janni are working on it with GSA.

Objective #5: Respond to request for an Executive Session of the Council.

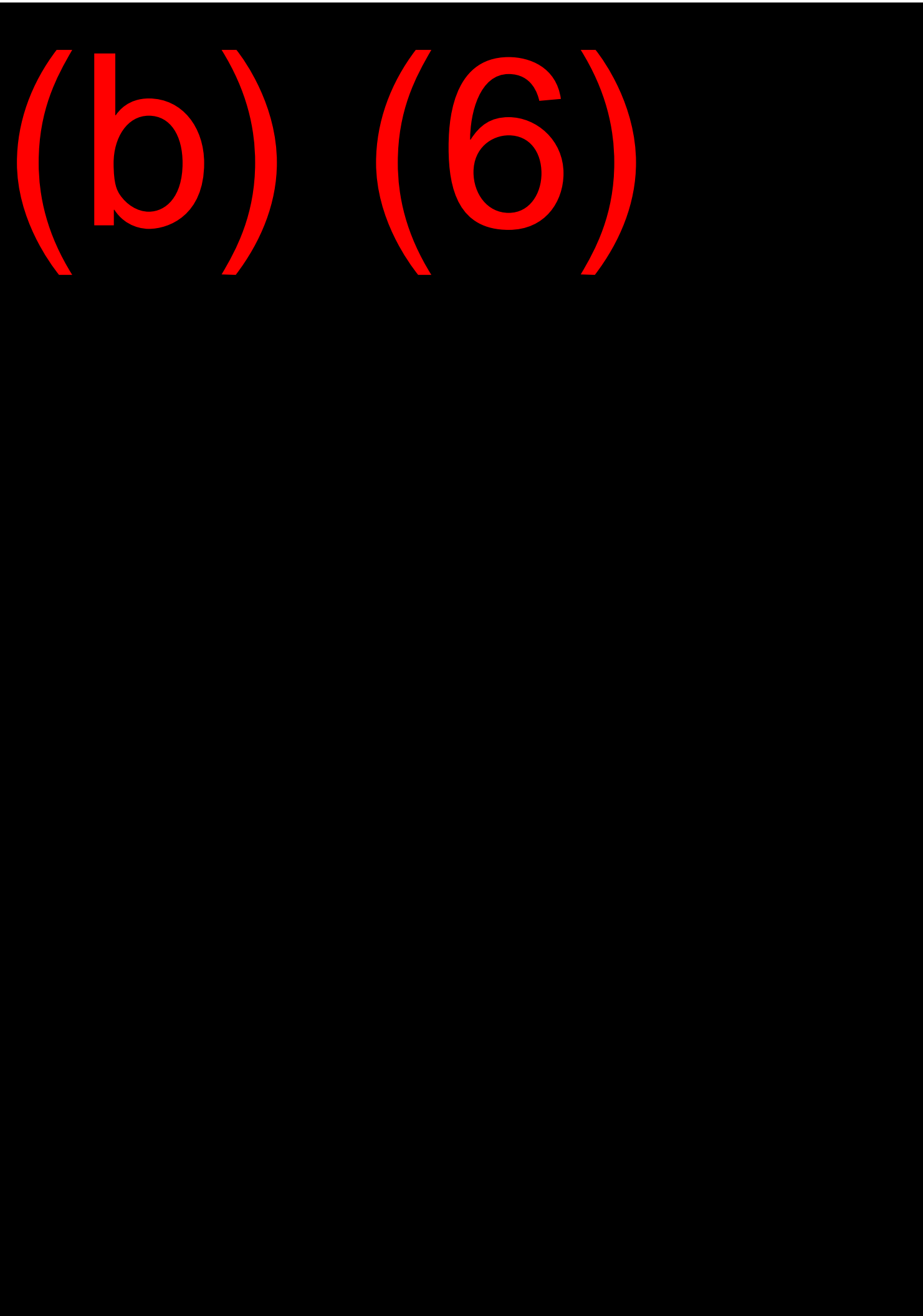
Action items:

- The Executive Committee assigns a member to help set up that meeting.

(b) (6)



(b) (6)



From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [David Allen - WPG-C](#)
[Lisa Brown-Gilmore - CPWA \(lisa.gilmore@gsa.gov\)](mailto:lisa.gilmore@gsa.gov)
Date: 9/25/2013 10:00:36 AM
Subject: FW: Joining the M-Enabling Summit, June 6-7, 2013 - Washington, D.C. – Reminder - One week to register

From: Sylvia Jones
Sent: Wednesday, September 18, 2013 1:14 PM
To: Jeff Rosen; Kamilah Martin-Proctor
Subject: RE: Joining the M-Enabling Summit, June 6-7, 2013 - Washington, D.C. – Reminder - One week to register

Kamilah,

Of the two emails you sent to me: 1: AHEAD conference; and 2) Enabling Summitt; Jeff only responded to one indicating his approval and that was the AHEAD conference. I need the email that Jeff sent to you around May 29 stating that he approved you to attend the Enabling Summitt.

You have not sent that email. The email that you sent to me was your email to staff, Ari and Jonathan Kuniholm stating "I will be there."

Thank you,
Sylvia

From: Kamilah Martin-Proctor
Sent: Wednesday, September 18, 2013 12:52 PM
To: Sylvia Jones; Jeff Rosen
Subject: RE: Joining the M-Enabling Summit, June 6-7, 2013 - Washington, D.C. – Reminder - One week to register

I have been through my emails - the stream which I forwarded showing his approval for my participation could you please specifically tell me what you are looking for

Sent from my Galaxy S®III

----- Original message -----

From: Sylvia Jones <sjones@ncd.gov>
Date: 09/18/2013 12:06 PM (GMT-05:00)
To: Jeff Rosen <jrosen@ncd.gov>, Kamilah Martin-Proctor <KMartin-Proctor@ncd.gov>
Cc: Sylvia Jones <sjones@ncd.gov>
Subject: RE: Joining the M-Enabling Summit, June 6-7, 2013 - Washington, D.C. – Reminder - One week to register

Jeff,

Due to issues with past submissions, I do not feel comfortable processing without the email approval. If it helps...I will give Kamilah extra time to search through her NCD emails for your approval email and she can submit to me by or before 3pm today.

Thank you,
Sylvia

From: Jeff Rosen
Sent: Wednesday, September 18, 2013 11:43 AM
To: Sylvia Jones; Kamilah Martin-Proctor
Subject: RE: Joining the M-Enabling Summit, June 6-7, 2013 - Washington, D.C. – Reminder - One week to register

I have no doubt that I previously provided Kamilah approval by email to attend this conference. However it will take time for me to dig that email out which I may not be able to get to today due to other time sensitive tasks. If it helps, this email is intended to serve as my affirmation of the approval provided Kamilah.

Sylvia Jones <sjones@ncd.gov> wrote:

Hi Kamilah,

I need the email from the Chair approving your travel to attend this event.

Thank you,
Sylvia

From: Kamilah Martin-Proctor
Sent: Wednesday, September 18, 2013 11:31 AM
To: Sylvia Jones
Cc: Jeff Rosen
Subject: FW: Joining the M-Enabling Summit, June 6-7, 2013 - Washington, D.C. – Reminder - One week to register

As requested

Kamilah O. Martin-Proctor
Council Member
National Council on Disability
1331 F Street, NW, Suite 850
Washington, DC 20004
Ph: 202-272-2004
Fax: 202-272-2022
TTY: 202-272-2074
<http://www.ncd.gov>

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From: Kamilah Martin-Proctor
Sent: Wednesday, May 29, 2013 10:18 AM
To: Ari Neeman; Jonathan Kuniholm; NCD-Board-Members; DrGerrie Hawkins; Rebecca Cokley; Anne Sommers; Joan Durocher
Subject: RE: Joining the M-Enabling Summit, June 6-7, 2013 - Washington, D.C. – Reminder - One week to register

Hi I will be there

Sent from my Galaxy S®III

----- Original message -----

From: Ari Neeman <ANeeman@ncd.gov>

Date: 05/29/2013 10:12 AM (GMT-05:00)

To: Jonathan Kuniholm <jkuniholm@ncd.gov>, NCD-Board-Members <NCD-Board-Members@ncd.gov>, DrGerrie Hawkins <DHawkins@ncd.gov>, Rebecca Cokley <rcokley@ncd.gov>, Anne Sommers <ASommers@ncd.gov>, Joan Durocher <JDurocher@ncd.gov>

Subject: RE: Joining the M-Enabling Summit, June 6-7, 2013 - Washington, D.C. – Reminder - One week to register

I'll be there and am moderating a panel on cognitive disability access needs. Will anyone else be attending?

From my Android phone on T-Mobile. The first nationwide 4G network.

Non-Responsive

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [David Allen - WPG-C](#)
Date: 9/20/2013 7:08:32 AM
Subject: RE: alternate timekeeper

Thanks Dave.

From: David Allen - WPG-C <david.allen@gsa.gov>
Sent: Friday, September 20, 2013 6:56 AM
To: Jeff Rosen
Cc: Lisa Brown-Gilmore - CPWA
Subject: Fwd: alternate timekeeper

Would have sent this directly to Dr. Hawkins but his email address did not show up.

----- Forwarded message -----

From: **David Allen - WPG-C** <david.allen@gsa.gov>
Date: Wed, Sep 11, 2013 at 9:50 AM
Subject: alternate timekeeper
To: Rebecca Cokley <rcokley@ncd.gov>
Cc: Lisa Brown-Gilmore - CPWA <lisa.gilmore@gsa.gov>, Brad Kliethermes - BCEC <bradley.kliethermes@gsa.gov>

Just spoke with Brad and have the person you want to do input go to <http://feddesk.gsa.gov/?warning=0>

go to reference material - USER forms

then complete the ETAMS request form.

Once approved, that person would have to complete the on-line ETAMS training

Ms. Rutledge should be able to be certified.

I also asked him about inputting the time once it is used and he said it could be handled the same way, but I told him I would formalize the request in an email.

--

Dave Allen
Employee Relations Specialist
301 7th Street SW
Room 1619
Washington, DC 20407
David.Allen@GSA.gov
[202-690-9475](tel:202-690-9475)
FAX [202-205-2546](tel:202-205-2546) (Please call or email if faxing so that I can retrieve it)

--

Dave Allen
Employee Relations Specialist
301 7th Street SW
Room 1619
Washington, DC 20407
David.Allen@GSA.gov
[202-690-9475](tel:202-690-9475)
FAX [202-205-2546](tel:202-205-2546) (Please call or email if faxing so that I can retrieve it)

Non-Responsive

Non-Responsive

Non-Responsive

Non-Responsive

Non-Responsive

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [Rebecca Cokley](#)
[Brad Kliethermes - BCEC](#)
Date: 12/18/2013 11:29:40 AM
Subject: RE: Your assistance

Thank you Brad, we appreciate GSA's assistance here. I will see whether Rebecca would like my assistance with processing.
-Jeff

From: Rebecca Cokley
Sent: Wednesday, December 18, 2013 10:25 AM
To: Brad Kliethermes - BCEC
Cc: Lisa Brown-Gilmore - CPWA; Jeff Rosen
Subject: RE: Your assistance

Ok. Sounds good.

Rebecca Cokley
Executive Director
National Council on Disability
1331 F Street NW, Suite 850
Washington, DC 20004
202-272-2124 Voice
202-272-2074 TTY
202-272-2022 Fax
Rcokley@ncd.gov
Website: <http://www.ncd.gov>

From: Brad Kliethermes - BCEC [<mailto:bradley.kliethermes@gsa.gov>]
Sent: Wednesday, December 18, 2013 10:24 AM
To: Rebecca Cokley
Cc: Lisa Brown-Gilmore - CPWA; Jeff Rosen
Subject: Re: Your assistance

You can send them to stephen.malick@gsa.gov and CC me on the email. Steve is the pay tech who handles your agency and he will be the one to put the timecards in. It might be best if you send the email to Jeff and have him send it in to us this way it doesn't look like we are trying to help you circumvent the system.

Bradley Kliethermes
Supervisory Accountant Payroll Operations
GSA National Payroll Branch (BCEC)
Financial and Payroll Services Division
Office of the Chief Financial Officer
Phone: (816) 823-3906
Fax: (816) 823-5435

Please go to the following link to provide feedback on the service I provided.

<https://spreadsheets.google.com/spreadsheet/viewform?formkey=dEVCVTdXNkdWZF9OWHZmdUgwbnZlaVE6MA>

FOR OFFICIAL USE ONLY --- The information contained in this e-mail is privileged and confidential and is intended only for the use of the addressee(s) indicated above. Anyone who receives this e-mail in error should notify

the sender by telephone immediately, and destroy the original message and any copies.

On Tue, Dec 17, 2013 at 9:50 AM, Rebecca Cokley <rcokley@ncd.gov> wrote:
Brad

I'm double checking with you on this based on our convo yesterday. Are you able to process my timecards until our GC gets back and I can have her certified as a timekeeper?

Rebecca Cokley
Executive Director
National Council on Disability
1331 F Street NW, Suite 850
Washington, DC 20004
[202-272-2124](tel:202-272-2124) Voice
[202-272-2074](tel:202-272-2074) TTY
[202-272-2022](tel:202-272-2022) Fax
Rcokley@ncd.gov
Website: <http://www.ncd.gov>

From: Brad Kliethermes - BCEC [mailto:bradley.kliethermes@gsa.gov]
Sent: Wednesday, September 11, 2013 11:33 AM
To: David Allen - WPG-C
Cc: Rebecca Cokley; Lisa Brown-Gilmore - CPWA
Subject: Re: Your assistance

We are able to process the timecards in the interim if needed. An email with proper certification is all that would be required for us to do the input.

Bradley Kliethermes
Supervisory Accountant Payroll Operations
GSA National Payroll Branch (BCEC)
Financial and Payroll Services Division
Office of the Chief Financial Officer
Phone: [\(816\) 823-3906](tel:(816)823-3906)
Fax: [\(816\) 823-5447](tel:(816)823-5447)

Please go to the following link to provide feedback on the service I provided.

<https://spreadsheets.google.com/spreadsheet/viewform?formkey=dEVCVTdXNkdWZF9OWHZmdUgwbnZlaVE6MA>

FOR OFFICIAL USE ONLY --- The information contained in this e-mail is privileged and confidential and is intended only for the use of the addressee(s) indicated above. Anyone who receives this e-mail in error should notify the sender by telephone immediately, and destroy the original message and any copies.

On Wed, Sep 11, 2013 at 10:29 AM, David Allen - WPG-C <david.allen@gsa.gov> wrote:
Mr. Kliethermes,

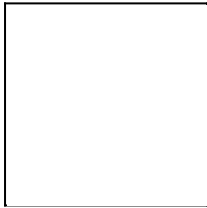
I want to first thank you for agreeing to assist us in getting Ms. Cokley's comp time properly credited to her account.

We are unsure whether Ms. Menifee will certify that time once Ms. Cokely claims in on her time card.

I am asking you to confirm that you can approve and have input the use of that comp time, in accordance with all

appropriate regulations, should Ms. Meniffee decline to appropriately process it.

Management is addressing the issue of certifying an alternate timekeeper within the agency so that your continued involvement will not be necessary.



--

Dave Allen
Employee Relations Specialist
301 7th Street SW
Room 1619
Washington, DC 20407

David.Allen@GSA.gov

[202-690-9475](tel:202-690-9475)

FAX [202-205-2546](tel:202-205-2546) (Please call or email if faxing so that I can retrieve it)

No virus found in this message.

Checked by AVG - www.avg.com

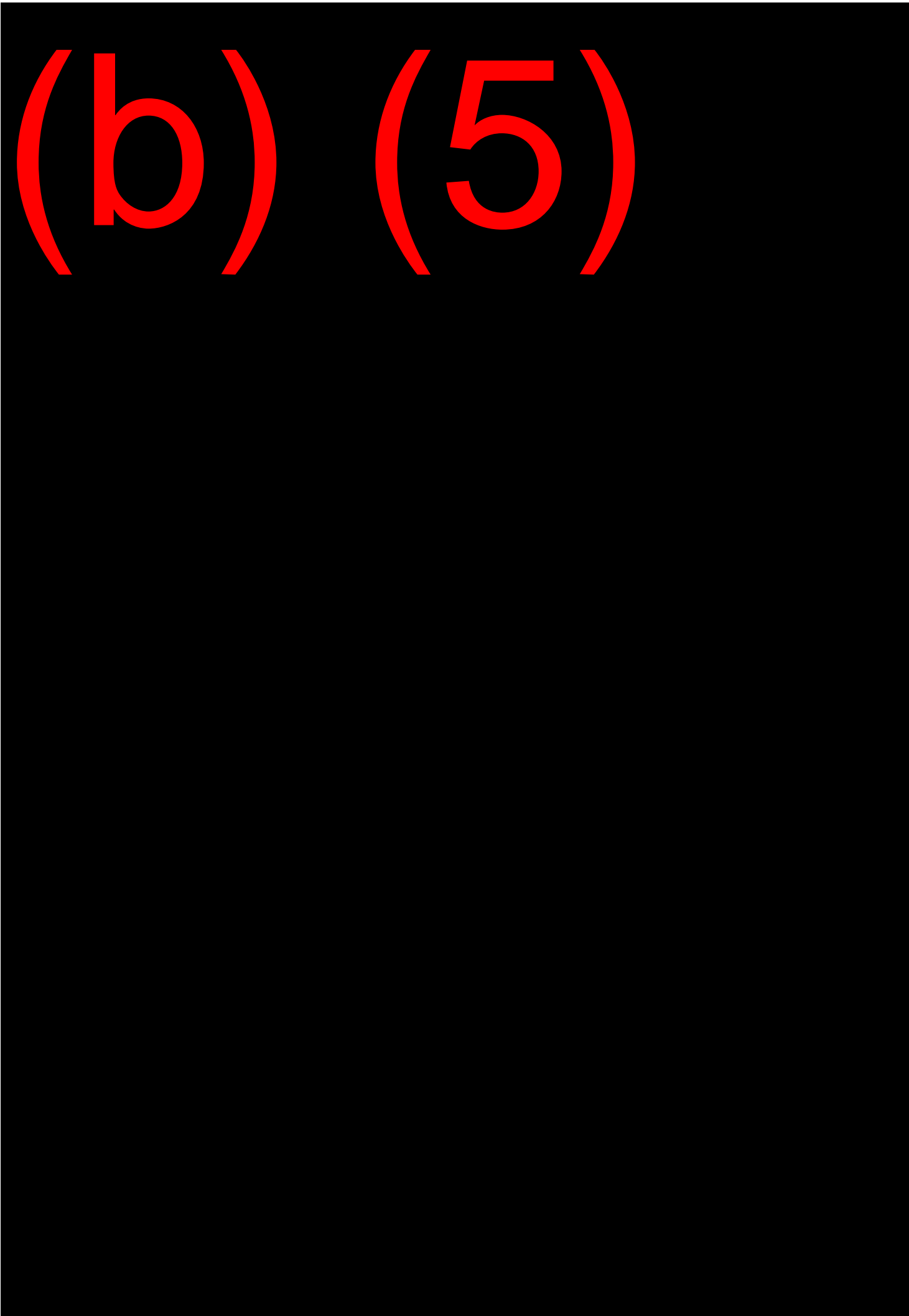
Version: 2012.0.2242 / Virus Database: 3222/6155 - Release Date: 09/11/13

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2012.0.2247 / Virus Database: 3658/6430 - Release Date: 12/18/13

(b) (5)



(b) (5)

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:Jeff.Rosen@ncd.gov)
To: [Gary Blumenthal](#)
[David Allen - WPG-C](#)
Date: 9/18/2013 6:49:40 AM
Subject: RE: Advice?

Gary -

Based on Dave's advice, I recommend that you present the information to the Committee. I am certain you will simply state the facts about the what, why & who. Then allow the Committee to ask any questions.

I also recommend that you inform the Committee that they will work with the Executive Committee to take steps to prevent this from ever happening again.

No one needs to get into an argument with anyone. If Sylvia interjects, do not respond with an opinion. No one on the A&F Committee did anything which requires them to become defensive about.

Request a copy of the CART transcript when you are done.

I will be on the call primarily in a listening mode.

The intent of the meeting is simply to put the situation into the Council's record. We are not looking to use this meeting for any disciplinary purpose so no one need to worry about anything but providing factual information for the record.

Thanks.

-Jeff

From: Gary Blumenthal <garyblumenthal@addp.org>
Sent: Wednesday, September 18, 2013 6:29 AM
To: David Allen - WPG-C
Cc: Jeff Rosen; Lisa Brown-Gilmore - CPWA(lisa.gilmore@gsa.gov); Rebecca Cokley; Gary Blumenthal
Subject: Re: Advice?

Earlier she advised us to slay spending decisions to September 15, gave predictions of less unspent availability and now won't process what she believes is against "her integrity" and lateness of the hour.

Gary

Sent from my iPad

On Sep 18, 2013, at 5:48 AM, David Allen - WPG-C <david.allen@gsa.gov> wrote:

If Sylvia is the main problem in why the funds went unspent, I would not ask her to address the committee on the issue, but to have the person most knowledgeable of the problem make the presentation.

I think that person should present Sylvia's views on what led to the problem, possibly as "contributing factors", if they are true and relevant.

Ultimately what happened, when it happened, why it happened, who was ultimately responsible, and what is being done to make sure it doesn't happen again should be the material presented to the Council.

On Tue, Sep 17, 2013 at 6:51 PM, Gary Blumenthal <garyblumenthal@addp.org> wrote:

I am eager to hear how the situation is explained tomorrow.

On Sep 17, 2013 6:35 PM, "Jeff Rosen" <jrosen@ncd.gov> wrote:

Dave & Lisa -

Thank you for your time today.

NCD's Administration & Finance (A&F) Committee is convening tomorrow morning at 9 eastern. The Chair of that Committee is Gary Blumenthal, copied here.

An agenda item is to update for the record the Committee on the issues leading to the excess unspent funds in FY '13.

Normally, the report out to the Committee about the status of funds would be made by Sylvia. However, I asked Gary to hold until we can consult with GSA. In discussions with Gary, Sylvia has blamed others particularly Rebecca about the situation. We have had a different experience in which Gary did his very best to have Sylvia work collaboratively to no avail.

I am concerned about the risk of the Committee being misinformed by Sylvia about what actually occurred and that misrepresentation becoming part of the record.

Your advice to us about how to handle would be appreciated.

If its easier, Gary's cell number is [617-\(b\) \(6\)](tel:617-617-6176)

We appreciate your assistance with this.
-Jeff

--

Dave Allen

Employee Relations Specialist

301 7th Street SW

Room 1619

Washington, DC 20407

David.Allen@GSA.gov

202-690-9475

FAX 202-205-2546 (Please call or email if faxing so that I can retrieve it)

From: [Jeff Rosen <jrosen@ncd.gov>](mailto:jrosen@ncd.gov)
To: [Rebecca Cokley](#)
Date: 9/30/2013 1:15:50 PM
Subject: RE: Sylvia's Husband

Awaiting Lisas counsel here.

-Jeff

From: Rebecca Cokley
Sent: Monday, September 30, 2013 1:10 PM
To: Jeff Rosen
Cc: Lisa Brown-Gilmore - CPWA; David Allen
Subject: Re: Sylvia's Husband

Just got a call from staff...they're seriously getting shook up by everything. Ms. Jones has gone into the offices of both Nick and Anne and accused them of calling me to let me know about her husband being there and is apparently loudly talking about hostile environment, the fact that she's being treated disparately, etc....

RC

Sent from my iPad

On Sep 30, 2013, at 1:07 PM, "Jeff Rosen" <jrosen@ncd.gov> wrote:

Thanks for the follow up Rebecca.

Lisa, I am concerned that a visit to NCD office will escalate things out of control on their end. My wife will think me a fool but Im not so concerned about my personal safety as I am about provoking a hostile response.

In my view, any damage has already been done in the several hours this morning. No staff person is feeling concerned about their physical safety. For the purposes of administrative discipline, its established that Sylvia defied direction by her superior today.

I would like us to consider whether I should continue to go to the office or that we should handle this through administrative channels. Something off is going on there and Im wary about setting foot and getting caught up in whatever they got going on. I think we should consider approaching this another way.

As for her husband, we can call Federal protection service and ask that he leave the premises.

-Jeff

From: Rebecca Cokley
Sent: Monday, September 30, 2013 12:30 PM
To: Jeff Rosen
Cc: Lisa Brown-Gilmore - CPWA; David Allen
Subject: Re: Sylvia's Husband

Jeff

to recap: I spoke with Sylvia at 12:15 and after putting me on speakerphone she confirmed that the individual in

her office was her husband, and she refused repeatedly to tell me what she was working on, citing that I was on leave and not in a position to ask her. I asked her to call me back after she goes on lunch with her husband and she repeatedly refused, telling me that she didn't need to call me back because I was on leave.

1-877-437-7411 is the number for the Federal Protective Service

RC

Sent from my iPad

On Sep 30, 2013, at 12:24 PM, "Jeff Rosen" <jrosen@ncd.gov> wrote:

I checked with some interpreters and no one is available this afternoon.

I'm continuing to look around. Please keep me posted about any developments in the meantime.

From: Lisa Brown-Gilmore - CPWA <lisa.gilmore@gsa.gov>
Sent: Monday, September 30, 2013 12:15 PM
To: Jeff Rosen
Cc: Rebecca Cokley; David Allen
Subject: Re: Sylvia's Husband

Jeff and Rebecca,
Please keep all emails from employees regarding this incident. We just spoke to Rebecca and she is calling Sylvia now. At any rate, Jeff please go to NCD to follow up on everything. Thanks

On Mon, Sep 30, 2013 at 12:01 PM, Lisa Brown-Gilmore - CPWA <lisa.gilmore@gsa.gov> wrote:
Rebecca, can you call Sylvia and find out what is going on? If she does not pick up, call another employee and have them tell Sylvia to call you immediately. If that does not occur, please have security escort Sylvia and her husband from the office. Make sure that they take Sylvia's badge and keys. Thanks

On Mon, Sep 30, 2013 at 11:56 AM, Jeff Rosen <jrosen@ncd.gov> wrote:

I am willing, but it will take me an hour to get to DC.

Can we ask a Federal marshal or someone like that to immediately go in? That will help secure the situation until I get there.

Please advise.

Thanks.

-Jeff

From: Lisa Brown-Gilmore - CPWA <lisa.gilmore@gsa.gov>
Sent: Monday, September 30, 2013 11:53 AM
To: Rebecca Cokley
Cc: David Allen; Jeff Rosen
Subject: Re: Sylvia's Husband

Jeff,

Can you please go over to NCD with an interpreter to find out exactly what is going on You should have security on hand in case there is any inappropriate behavior. Thanks

On Mon, Sep 30, 2013 at 11:34 AM, Rebecca Cokley <rcokley@ncd.gov> wrote:

Lisa

I've been contacted by 3 staff about this today. What can we do?

RC

Sent from my iPhone

Begin forwarded message:

From: Robyn Powell <RPowell@ncd.gov>
Date: September 30, 2013 at 11:23:13 AM EDT
To: Jeff Rosen <jrosen@ncd.gov>, Rebecca Cokley <rcokley@ncd.gov>
Subject: Sylvia's Husband

Hi Jeff and Rebecca,

Staff have informed me that a man (assumedly Sylvia's husband) has been in Sylvia's office for several hours with her and that they have overheard what sounds like papers being ripped. I wanted to let you know, as this seems inappropriate.

Thanks,
Robyn

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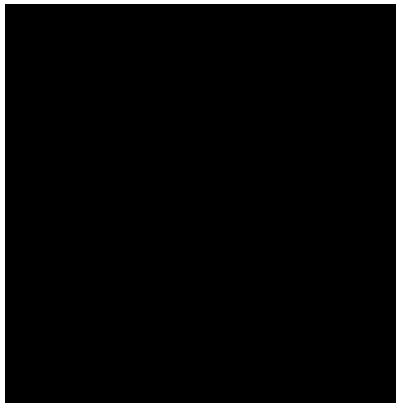
Lisa Gilmore
Human Resources Specialist (Employee Relations)
Washington Area Operations Center
Employee Relations Branch-CPWA
301 7th Street, S.W., Room 1022
Washington, DC 20407
202-205-4929 Desk
202-(b) (6) Mobile Phone
[202-708-5377](tel:202-708-5377) fax



https://docs.google.com/a/gsa.gov/forms/d/1nhjCN6rnQLHds76fKF2MsLyLHchZpKL7e_LIZjNJlr0/viewform

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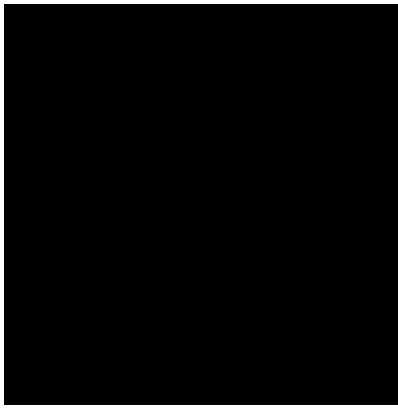
Lisa Gilmore
Human Resources Specialist (Employee Relations)
Washington Area Operations Center
Employee Relations Branch-CPWA
301 7th Street, S.W., Room 1022
Washington, DC 20407
202-205-4929 Desk
202-(b) (6) Mobile Phone
[202-708-5377](tel:202-708-5377) fax



https://docs.google.com/a/gsa.gov/forms/d/1nhjCN6rnQLHds76fKF2MsLyLHchZpKL7e_LIZjNJlr0/viewform

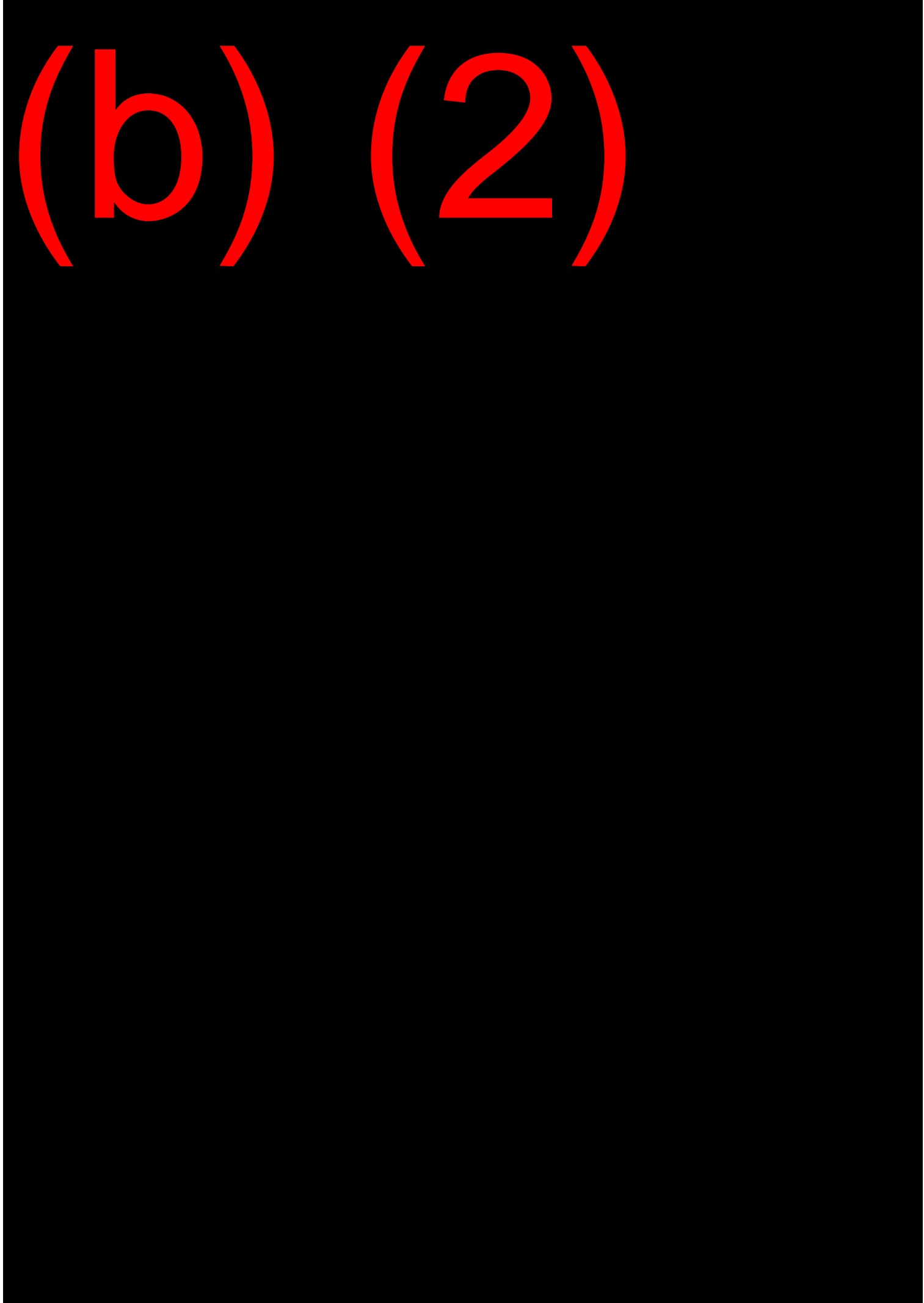
--

Lisa Gilmore
Human Resources Specialist (Employee Relations)
Washington Area Operations Center
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301 7th Street, S.W., Room 1022
Washington, DC 20407
202-205-4929 Desk
202-(b) (6) Mobile Phone
202-708-5377 fax

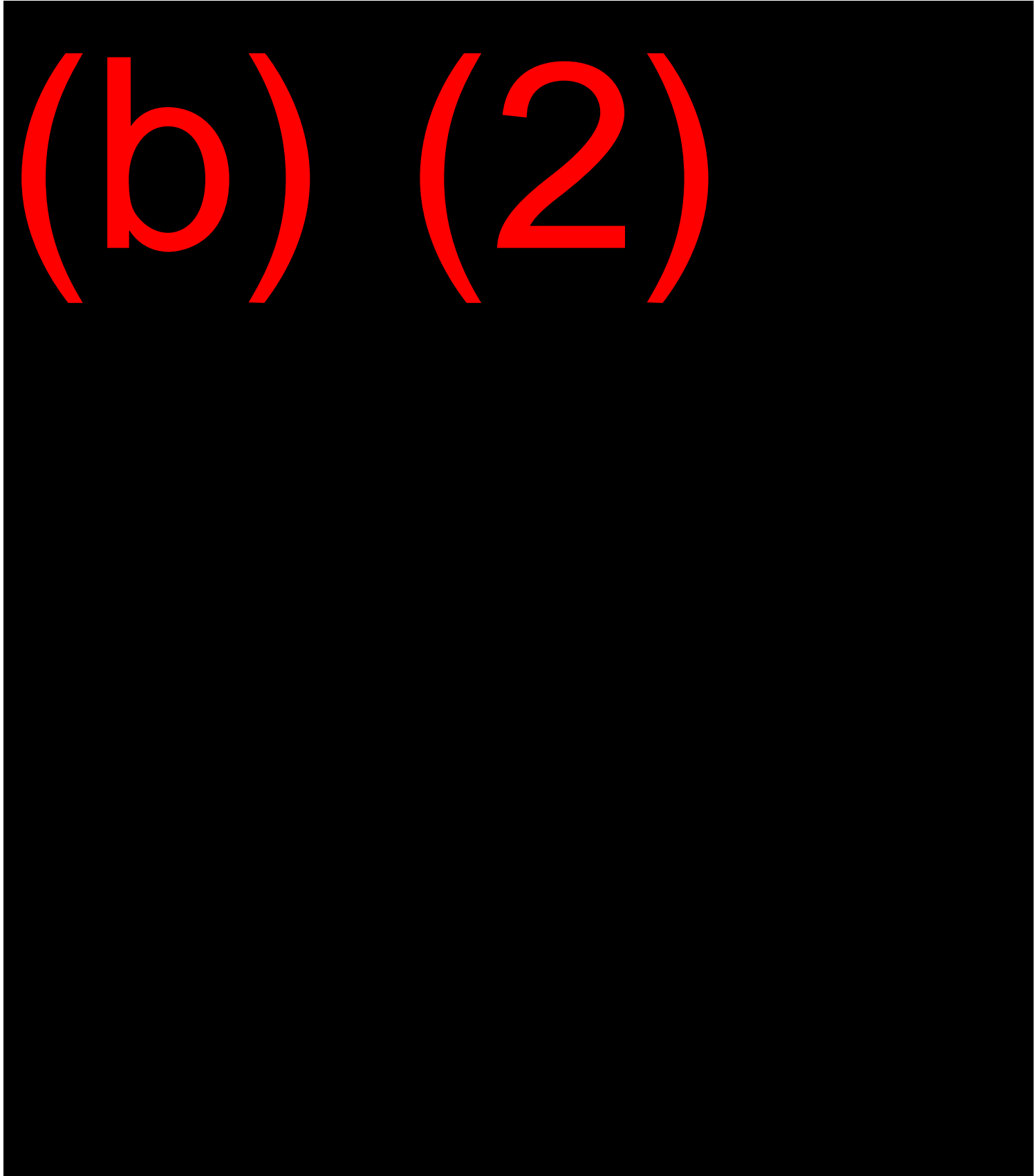


https://docs.google.com/a/gsa.gov/forms/d/1nhjCN6mQLHds76fKF2MsLyLHchZpKL7e_LIZjNJlr0/viewform

(b) (2)



(b) (2)



From: [Jeff Rosen <jrosen@ncd.gov>](mailto:Jeff.Rosen@ncd.gov)
To: [Anthony E Speights - CPW](#)
Date: 9/24/2013 9:01:22 AM
Subject: RE: Administrative Issues

Thank you Anthony.

Would you be available to meet this Thursday anytime between 1 to 3 at GSA?

Appreciate it.

-Jeff

From: Anthony E Speights - CPW <anthony.speights@gsa.gov>
Sent: Tuesday, September 24, 2013 8:37 AM
To: Jeff Rosen
Cc: David Allen - WPG-C; Lisa Brown-Gilmore - CPWA
Subject: Administrative Issues

Good morning Jeff,

I would like to introduce myself. I am your point of contact for human resources staffing issues. Please contact me and we can move forward on your concerns regarding your agency's organization structure. Thanks

--

Anthony E. Speights
Human Resources Specialist
General Services Administration
Office of the Chief People Officer
Presidential Commissions and Boards
301 7th Street SW
Washington DC 20407
Office: (202) 708-0090
Mobile: (202) (b) (6)
anthony.speights@gsa.gov